

BUILDERS' ASSOCIATION OF INDIA

(Apex Body of Construction Industry)

G-1/G-20, 7th floor, Commerce Centre, J. Dadajee Road, Tardeo, Mumbai 400034
Telefax : (91-22) 23514134, 23520507, 23514802 • Fax : (91-22) 23521328
Website : www.baionline.in • E-mail : baihq.mumbai@gmail.com



NOTICE

The Seventy Eighth (78) Annual General Meeting of the Members of Builders' Association of India, will be held on Saturday 17th August, 2019 at 4.00 P.M. at FEATHERS-A-RADHA HOTEL, 4/129, Mount Poonamalle Road, Manapakkam, Chennai - 600 089, to transact the following business :-

1. To confirm the Minutes of the Seventy Seventh Annual General Meeting held on Saturday, 4th August 2018 at 4.00 P.M. at Saipriya Resorts, Rushikonda, Visakhapatnam - 530 045 (Minutes have already been circulated to Members and also printed in Indian Construction Journal, October 2018 issue - Page No. 54 to 59 and also hosted on BAI Website www.baionline.in).
2. To take note of the result of BAI Organisational Election for the year 2019-20 (Enclosed).
3. To take note of the result of BAI Trustees Election for the year 2019-22 (Enclosed).
4. To consider, and if thought fit, adopt the Annual Report of the Association for the year ending 31st March 2019.
5. To consider, and if thought fit, adopt the Audited Balance Sheet and Income & Expenditure Account of the Association for the year ending 31st March 2019.
6. To appoint Auditors to audit the accounts of the Association for the year 2019-20 and fix their remuneration.
7. To consider, any other item, with the permission of the chair.

NEERAV PARMAR
Hon. Gen. Secretary
Builders' Association of India

Place : Mumbai

Dated: 17.07.2019

Note: (i) Queries on Accounts and Reports should be communicated to BAI Headquarter on or before 12th August 2019. Centres Chairmen are requested to kindly circulate this information amongst their members. Please note no floor queries on accounts will be entertained.(The report is hosted on BAI Website).

(ii) Please bring this copy of Annual Report.

Delhi Office: D1/203, Aashirwad Complex, Green Park Main, New Delhi 110 016 26568763 / 9555448763 E-mail:baidelhi16@gmail.com



BUILDERS' ASSOCIATION OF INDIA MANAGING COMMITTEE 2018-2019

President

Mr. A. Puhazhendi

Vice Presidents

Mr. Rajendra Singh Kamboh Mr. O. P. Sharma
Mr. CH Ramakotaiah Mr. M. Thirusangu
Mr. Pratap B. Salunkhe

Hon. Gen. Secretary

Mr. Neerav Parmar

Hon. Gen. Treasurer

Mr. Pradeep G. Nagawekar

Imm. Past President

Mr. H. N. Vijaya Raghava Reddy

STATE CHAIRMEN

Andhra Pradesh

Mr. V. Venkateswara Rao

Gujarat

Mr. Nimesh D. Patel

Karnataka

Mr. K. S. Someshwara Reddy

Tamil Nadu Puducherry &

Andaman Nicobar

Mr. S. Ayyanathan

Chattisgarh

Mr. K. Chandrasekhar Rao

Haryana

Mr. Rajiv Goel

Kerala

Mr. Paul T. Mathew

Delhi

Mr. Ram Avtar

Jharkhand

Mr. Chandrakant Raipat

Maharashtra

Mr. Vilas K. Birari

Telangana

Mr. D. V. N. Reddy

State Co-ordinators (2018-19)

Assam

Mr. Sanjib Goel

Madhya Pradesh

Dr. Santosh Katiyar

Rajasthan

Mr. Pradeep Kumar Jain

West Bengal

Mr. Surojit Samanta

Members of the Managing Committee representing Centres

Mr. Abhay M. Garde
Mr. C.K.S. Panicker
Mr. G. Diwakar
Mr. M. Dhandavakrishnan
Mr. N. Sivakumar
Mr. P. Narasimha Rao
Mr. Prabir Kumar Mukherjee
Mr. Raj Pal Arora
Mr. V. Santosh Babu

Mr. Baburao L. Shakkarwar
Mr. D. Kempanna
Mr. G. Thilagar
Mr. Mathew Alex Vellapally
Mr. N.R. Prashar
Mr. P. Subramani
Mr. R. Sivakumar
Mr. Rajendra S. Athawale
Mr. V. S. Jayachandran
Mr. Y. Ishwar Rao

Mr. Bhopinder Lal
Mr. D. R. Sekar
Mr. K. Annamalai
Mr. N. Shanmugam
Mr. N.S. Muralidhara
Mr. P.P. John
Mr. R. R. Sridhar
Dr. Tarro T. Manghnani
Mr. V.S.K. Moorthy

Members of the Managing Committee representing Patron Members

Mr. B. Sugunakar Rao
Dr. Dharmesh C. Awasthi
Mr. K. Subramani
Mr. L. Shanthakumar
Mr. N. M. Patel
Mr. Prakash H. Menda

Mr. Basavaraj S. Totad
Mr. Joji Joseph
Mr. K. Venkatesan
Mr. Mahesh M. Mudda
Mr. Najeeb Mannel
Mr. R. Rajasekar

Mr. C.G. Deochake
Mr. K. Rajavel
Mr. K.J. George
Mr. Mohanlal S. Katariya
Mr. Narendra Kumar
Mr. Ravindra Pradhan

Mr. S. Ganapathi
Mr. T.V. Chandrasekaran

Mr. S. Narasimha Reddy
Mr. V. Satyamurthy
Mr. V. Unnikrishnan

Mr. S. Ramaprabhu
Mr. V. Srinivasa Murthy

Members of the Managing Committee representing Affiliated Associations

Mr. Arvind V. Patel

Mr. Andrew Vethanayagam

Mr. B. Ramesh

Mr. A.S. Rajasekharan

Trustees 2016-19

Mr. Ashok Chowdhary
Mr. N. Sachitanand Reddy
Mr. D.L.Desai (2016 - 29.10.2017)

Mr. K. Ramanujam
Mr. R. Subburaman

Mr. Lal Chand Sharma
Mr. Vijay Jagannath Devi
Mr. Ram M. Bhatia (2018-19)

Chairpersons of various Committees of BAI for 2018-19

NAME OF COMMITTEES	CHAIRPERSON
Central Government Department & PSU	Shri R. N. Gupta
Cement and Steel	Shri K. Subramani
CIDC Co-ordination	Shri M.S.K. Vasudeva Rao
Concrete Technology	Shri Aniruddha Nakhawa
Constitutional Amendments	Shri K. Sriram
Contract Conditions	Shri L. Moorthy
Contractors Welfare / Insurance	Capt. A. Mohan
Contract Welfare Trust – Proposed Trustees	Shri B. Seenaiiah
	Shri V. Ramachandran
	Shri Lal Chand Sharma
	Shri Sushanta Kumar Basu
	Shri H.N. Vijaya Raghava Reddy
	Shri Avinash M. Patil
Corporate Affairs	Shri Mahesh M. Mudda
Direct Tax	Shri Tarun Ghia
Energy	Shri V.N. Varadharajan
Environmental	Dr. C. Ashokan
Goods & Service Tax	Shri Sandesh Mundra
Grievances	Dr. Rajiv B. Krishnani
Housing & Real Estate	Shri M.V. Antony
IFAWPCA Co-ordination	Dr. D. Thukkaram
Image Building Activity	Shri N.S. Muralidhara
Infrastructure Development	Dr. Anand J. Gupta
Indian Construction	Shri Neerav Parmar
Labour Social Security	Shri Rajiv Goel
Legal and Arbitration	Dr. Dharmesh C. Awasthi
Mechanisation	Shri V.G. Sakthikumar
Membership Development & New Centres	Shri S. Narasimha Reddy
MES	Shri Charanjit Singh Parhar
National Highways	Shri Arvind V. Patel
Overseas Contract Co-ordination	Shri R.P. Selvasundaram
Public Relations	Shri R. Murugan
Portal / Website for updating Live Tender Document	Shri V. Ramachandran, Advisor
	Shri John Paul K., Chairman
Private Contract	Smt. P. Punithavathi
Railways	Shri Alex P. Cyriac
Research & Development and Alternative Material	Shri M. Dhandavakrishnan
Skill Development	Shri K.L. Mohan Rao
Taxation, Royalty, Entry Tax	Shri K. Viswanathan

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Ref.: 834/M/2018-19 dated March 29, 2019

TO:

THE TRUSTEES

THE VICE-PRESIDENTS

THE STATE CHAIRMEN / CENTRE CHAIRMEN

THE MANAGING COMMITTEE AND THE GENERAL COUNCIL MEMBERS

Dear Sirs,

The election process for 2019-20 of Builders' Association of India has been completed on 29th March 2019. Following are the election results:

President	:	Shri Sachin Chandra - [Patna Centre]	
Vice Presidents	:	Shri Surojit Samanta [Eastern (Kolkata) Centre]	Shri O.P. Sharma [Ghaziabad Centre]
		Shri K. Sriram (South-I) [Mysore Centre]	Shri Mathew Alex Vellapally (South-II) [Kottayam Centre]
		Shri Nimesh D. Patel [Gujarat (Ahmedabad) Centre]	
Hon. Gen. Secretary	:	Shri Neerav Parmar - [Mumbai Centre]	
Hon. Gen. Treasurer	:	Shri Pradeep G. Nagawekar - [Mumbai Centre]	
State Chairman (Andhra Pradesh)	:	Shri V. Venkateswara Rao [Vijayawada Centre]	
St. Co-ordinator (Assam)	:	Shri Pinak Pani Nath [Silchar Centre]	
State Chairman (Chattisgarh)	:	Shri K. Chandrasekhar Rao [Raipur Centre]	
State Chairman (Delhi)	:	Shri H.S. Pasricha [Delhi Centre]	
State Chairman (Gujarat)	:	Shri Kirti M. Thacker [Gandhinagar Centre]	
State Chairman (Haryana)	:	Shri Umesh Achaarya [Gurgaon Centre]	
State Chairman (Jharkhand)	:	Shri Shiv Kumar Burman [Jamshedpur Centre]	
State Chairman (Karnataka)	:	Shri R. Ambikapathy [Karnataka (Bangalore) Centre]	
State Chairman (Kerala)	:	Shri Prince Joseph [Kochi (Cochin) Centre]	
St. Co-ordinator (Madhya Pradesh)	:	Shri Sharad Tamot [Bhopal Centre]	
State Chairman (Maharashtra)	:	Shri Prakash Panjwani [Ulhasnagar Centre]	
State Chairman (Rajasthan)	:	Shri Rameshwar D. Khandelwal [Rajasthan (Jaipur) Centre]	
State Chairman (Tamil Nadu)	:	Shri R. Muthukumar [Pudukkottai Centre]	
State Chairman (Telangana)	:	Shri D.V.N. Reddy [Nalgonda Centre]	
State Chairman (Uttar Pradesh)	:	Shri Sanjay Tyagi [Muzaffarnagar Centre]	
St. Co-ordinator (West Bengal)	:	Shri Ashok Kumar Chandak [Durgapur Centre]	

Members of the Managing Committee representing Centres (28 Nos):

1. Shri Shri Bhopinder R. Lal	2. Shri Vilas Birari
3. Shri Ashok Agarwal	4. Shri Mahendra Sethi

5. Shri G. Ved Anand	6. Shri M. Thirusangu
7. Shri N. Sivakumar	8. Shri N. Murugan
9. Shri M. Ravi	10. Shri E. Dhanasekaran
11. Shri Paul T. Mathew	12. Shri K.J. George
13. Shri R. Sivakumar	14. Shri R.R. Sridhar
15. Shri R. Ethirajan	16. Shri T.V. Chandrasekaran
17. Shri L. Shantha Kumar	18. Shri K. Venkatesan
19. Shri P.P. John	20. Shri Taro T. Manghnani
21. Shri Pratap Salunkhe	22. Shri K. Padmanabhan
23. Shri Ram M. Bhatia	24. Shri P. Subramani
25. Shri K. Rajakumaran Nair	26. Shri A. Manikkam
27. Shri Alex P. Cyriac	28. Shri S. Sunil Kumar

Members of the Managing Committee representing Patron Members (25 Nos) :

1. Shri Narendra Kumar	2. Shri Prabir Kumar Mukherjee
3. Dr. Dharmesh Awasthi	4. Shri S.N. Reddy
5. Shri Soma Srinivas Reddy	6. Shri P. Narsimha Rao
7. Shri V. Satya Murthy	8. Shri K. Subramani
9. Shri K.L. Mohan Rao	10. Shri G. Ramamoorthi
11. Shri V. Ayyamperumal	12. Shri J.R. Sethuramalingam
13. Shri D.R. Sekar	14. Shri Mu. Moahan
15. Shri S. Ayyanathan	16. Shri K. Ramanujam
17. Shri L. Venkatesan	18. Shri N. Ramalingam
19. Shri N. Shanmugam	20. Dr. Rajiv B. Krishnani
21. Dr. Anand J. Gupta	22. Shri Rajendra S. Athawale
23. Shri Gopalsingh Rathod	24. Shri Baburao L. Shakkwarwar
25. Shri Mahesh M. Mudda	

Members of the Managing Committee representing Affiliated Associations (4 Nos) :

1. Shri Arvind V. Patel	2. Shri M. Jaisankar
3. Shri K.G. Janakiraman	4. Shri B. Ramesh

We have not received nominations for the post of State Co-ordinator from Puducherry.

The new office bearers will assume charge of their respective offices with effect from 1st April 2019 for a period of 1 year as per the BAI Constitution.

Thanking you,

Yours faithfully,



RAJU JOHN
RETURNING OFFICER
BAI ORGANISATIONAL ELECTIONS 2019-20

Copy to: 1. Shri Sanjay Tyagi
2. Shri N. Sachitanand Reddy
3. Shri Capt. A. Mohan } Board of Scrutineers,
BAI Organisational Elections 2019-20

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Ref.: 837/M/2018-19 dated March 29, 2019

TO:
THE TRUSTEES
THE VICE-PRESIDENTS
THE STATE CHAIRMEN / CENTRE CHAIRMEN
THE MANAGING COMMITTEE AND THE GENERAL COUNCIL MEMBERS

Dear Sirs,

The election process for Trustees of Builders' Association of India for three year term i.e. 2019-2022 has been completed on 29th March 2019. Following are the election results.

Trustee (East)	:	Shri Ravindra Pradhan	:	(Jharkhand (Ranchi) Centre)
Trustee (North)	:	Shri Lal Chand Sharma	:	(Gautam Budh Nagar Centre)
Trustee (South)	:	1. Shri V. Rajagopal	:	(Thanjavur Centre)
		2. Shri O.K. Selvaraj	:	(Southern (Chennai) Centre)
		3. Shri B. Sugunakar Rao	:	(Karimnagar Centre)
Trustee (West)	:	1. Shri C. G. Deochake	:	(Mumbai Centre)
		2. Shri Mohanlal S. Katariya	:	(Nashik Centre)

The new Trustees will assume charge with effect from 1st April 2019 for a period of 3 years as per the BAI Constitution.

Thanking you,

Yours faithfully,

RAJU JOHN
RETURNING OFFICER
BAI TRUSTEES ELECTIONS 2019-22

Copy to: 1. Shri Sanjay Tyagi
2. Shri N. Sachitanand Reddy
3. Shri Capt. A. Mohan } Board of Scrutinisers

Report of Mr. A. Puhazhendi, President (2018-19)

Friends,

The President has pleasure in presenting a Report of the activities undertaken by him during the year 2018-19

- ❖ On 29th March, 2018 - Mr.Lalchand Sharma, BAI Past President & Trustee formally installed Mr.A.Puhazhendi as President of BAI for 2018-19 at BAI, Mumbai headquarters. Subsequently Mr.H.N.Vijaya Raghava Reddy, BAI Past President did the honours of handing over the charge. A large number of senior functionaries of BAI from many enters were present.
 - ❖ On 6th April, 2018 - BAI President attended the installation function of Coimbatore centre with Mr.Chinnasamy as Chairman. In a special press meet with "The Hindu" daily, the BAI president highlighted various issues like, to have separate Ministry for Construction Industry in Government of India and his vision to open a portal/website (at the earliest) with the details of live tenders for all various kinds of government projects throughout India. Adding to that, the portal/website would be made available for any member of BAI for viewing without any charges and get benefited. The ultimate aim is, any builder/contractor can quote any kind of tender according to their prequalification to participate in any part of the country.
- This was done in November 2018 (Portal/website was opened and declared in the M.C./G.C. meeting held at Delhi.)**
- ❖ 9th April, 2018 – BAI President attended the installation function of Tuticorin Centre as chief guest.
 - ❖ 11th April, 2018 – Felicitation to BAI President by Tiruchirappalli Centre held at Shaan Hotel, Trichy.
 - ❖ 12th April, 2018 – Installation of Shri.D.V.N.Reddy as State Chairman of Telengana wherein all the members from Telengana State were present. Shri.B.Seenaiah – BAI Past President, Shri.Sachidhanandha Reddy – BAI Trustee, Shri.Narasimha Reddy – BAI Past Vice President, Shri.Ramakotaiah – BAI Vice President, Shri.Narasimha Rao – BAI Past State Chairman, Shri.Sugunekar Rao – BAI Past State Chairman, Shri.Mohan Reddy – BAI Past State Chairman and many senior functionaries of BAI participated. BAI President A.Puhazhendi was the chief guest of the function.
 - ❖ 13th April, 2018 – Installation function of Pune Centre with BAI President as the chief guest.
 - ❖ 14th April, 2018 – BAI President inaugurated a mega Tiles Showroom (Owned by BAI member) at Perambalur, Tamil Nadu.
 - ❖ 15th April, 2018 – Attended the installation function of Tirunelveli Centre as chief guest in the morning hours.
 - ❖ 15th April, 2018 – Installation function of Tirupur Centre held at the evening hours with BAI President as chief guest.
 - ❖ 16th April, 2018 – Felicitation function to BAI President was organized by Erode Centre at the premises of Builders' Engineering College, Kangeyam (Tirupur Dt.).
 - ❖ 18th April, 2018 – Installation function of Tiruchirappalli Centre with BAI President as the chief guest.
 - ❖ 24th April, 2018 – Installation function of Thanjavur Centre with BAI President as the chief guest.
 - ❖ 25th April, 2018 – Installation function of Chengalpattu Centre with BAI President as the chief guest.
 - ❖ 27th April, 2018 – Installation function of Southern Centre with BAI President as the guest of honour.
 - ❖ 28th April, 2018 – Installation function of Ichalkaranji Centre (Maharashtra) with BAI President as the chief guest.
 - ❖ 29th April, 2018 – Installation function of Satara Centre (Maharashtra) with BAI President as the chief guest.
 - ❖ 2nd May, 2018 – Installing Shri.Nimesh Patel as State chairman of Gujarat at Ahmedabad with BAI President as the chief guest.
 - ❖ 4th May, 2018 – Installation function of Theni Centre with BAI President as the chief guest.
 - ❖ 6th May, 2018 – Installation function of Namakkal Centre with BAI President as the chief guest.
 - ❖ 8th May, 2018 – Headquarters office bearers meeting was held at Holiday Inn, Cochin under the presidency of Mr.A.Puhazhendi in the morning.
 - ❖ 8th May, 2018 – Installation of Mr.Paul Mathewas State Chairman – Kerala at Holiday Inn, Cochin with BAI President as the chief guest held in the evening hours.
 - ❖ 9th May, 2018 – Installation function of Myladuthurai

Centre with BAI President as the chief guest.

- ❖ 18th May, 2018 – 1st West Zone meeting and installation function of Mumbai Centre held at Mumbai with BAI President as the chief guest.
- ❖ 24th & 25th May, 2018 – 1st M.C./G.C. Meeting of 2018-19 was held at Madurai wherein more than 400 BAI members from all parts of India participated and graced the meeting.

24th May (i). Orientation program for all centre Charimen, Secretaries, Treasurers was well conducted by BAI President A. Puhazhendi at Hotel Heritage, Madurai. This program was appreciated by every member.

- (ii) At 5 P.M. IFWAPCA President Mr. Datuk Tee Mathew and Secretary Mr. Ir. Chuan Yeong Ming were invited to deliver speech on IFWAPCA to know about the functions of IFWAPCA followed by an excellent speech by the President of IFWAPCA. The main purpose of this is, the BAI members can have business promotion with 20 countries of IFWAPCA. This was a wonderful occasion for the BAI members and it was appreciated by them for the initiatives taken by the BAI President.

25th May – M.C./G.C. Meeting – The BAI President has announced the following:

- (i) BAI President also announced to have contractors' welfare trust to help the diseased contractor in case of unexpected incident to help their family.

BAI Trustees agreed to spare 30 lakhs surplus fund without touching the corpus fund. Now the required draft is ready to be registered with society act and this was approved in the Durgapur M.C./G.C. Meeting held on 23rd February, 2019. Post-registration of the trust, in a month time or so, it will come into act. The initiative taken by the BAI President for this good cause particularly for middle and small Contractors will be of great help. Many members appreciated the great idea of the President.

- (ii) The BAI President was in view of introducing internship program for degree/diploma civil engineers (like medicos) so that they will become employable in any company directly.

BAI President has written two letters to the Honourable Union Human Resources Minister Shri. Javdekar. And in the month of February 2019 the minister has communicated to the BAI President that, the Ministry has accepted the proposal and will be implemented in the forth coming year. This was also one of the great initiatives taken by the BAI President and got it done successfully.

- (iii) BAI President was not happy the CIDC activities as they have not taken any action on many issues communicated to them and thereafter BAI President started meeting all the concerned union ministers and union secretaries for addressing the problems of the Builders' fraternity and it was very successful.

- ❖ 20th June, 2018 – BAI President wrote a letter to Honourable Union Minister Shri. Nithin Gadkari for Shipping and surface transport requesting him to nominate a representative of BAI in NHAI Committee and a reminder letter was also sent subsequently.

The ministry has agreed to nominate a BAI member in the NHAI committee. Accordingly Shri. Arvind Patel, a major Highway Contractor from Gujarat, has been nominated by the President and recommended his name to the Ministry. This is also one of the main achievements by the BAI President.

- ❖ 22nd June, 2018 – Indian Construction Journal hosted a digital publication format on BAI website (www.baionline.in).

- ❖ 29th June, 2018 – The BAI President attended the steel consumer council meet held at Bangalore wherein Honourable Union Minister for Steel Shri. Chowdhary Birender Singh, Honourable Minister of State for Steel Shri. Vishnu Deosai, Joint Secretary Minister of Steel Smt. Ruchika Chowdry Govi were present in the meeting. BAI President highlighted about the steel price rise of 35% to 40%, more particularly in the Southern Part of India and BAI President submitted a memorandum to this extent. The Union Minister and Secretary committed to do the needful to reduce the price. Subsequently, the President wrote two more reminders to the Union Ministers on different dates.

- ❖ 16th July, 2018 – BAI President visited CIDC office at New Delhi and appraised about the deteriorating situation of building industry,

- (a) To take action to reduce cement and steel price,

- (b) To have separate ministry for Construction Industry,
- (c) No tender to be floated in any department without proper fund allocation,
- (d) To reduce GST from 18% to 12%,
- (e) To modify and simplify the labour loss,
- (f) Bank N.P.A. rescue package,
- (g) labourcess to be utilized for skill development of workers through BAI.

❖ 20th& 21st July, 2018 – BAI President attended Maharashtra State level meeting as Chief Guest at Nasik.

❖ 25th July, 2018 – BAI President visited New Delhi and met Honourable secretary Shri. Heeralal Samaria, Ministry of Labour and Employment and had detailed discussion about the practical difficulties in implementing of ESIC, PF and labourcess etc. And the Union Secretary was convinced to the extent that ESIC will not be implemented ad the proposal given by the BAI for PF on percentage deduction will be taken up for serious consideration.

❖ 25th July, 2018 – **Cement** : BAI has filed a complaint with Hon'ble Competition Commission of India (CCI) in the year 2010 against 11 cement companies on their unfair trade practices adopted for the increasing cement price. In the year 2013, after final existence of cartel in the cement industry, have imposed a penalty of 6307 Crores against cement manufacturers. On appeal by these cement manufacturers in Competition Appellate Tribunal against the order of CCI was admitted with the pre-condition of depositing 10% of the total penalty.

Though cement manufacturers have also approached the Hon'ble Supreme Court seeking the dismissal of the CCI's order, Supreme Court have not acceded to their demand and sent them back to Competition Appellate Tribunal. Government of India Closed Competition Appellate Tribunal and all the matters pending for decision in it were transferred to National Company Law Appellate Tribunal (NCLAT).

Finally, the NCLAT have pronounced the order on 25th July, 2018 as under:

- (i) **So far the quantum of pending order is concerned as we find that the Commission has imposed mere minimum penalty, no interference is called for against the same.**
- (ii) **We find no merit in these appeals. They accordingly dismissed. All interlocutory**

application filed in these appeals stand disposed of no cost. Now, companies will be approaching the Supreme Court seeking relief.

❖ 26th July, 2018 – BAI President has written a letter to Director General, Bureau of Indian Standards (BIS), New Delhi to consider the steel produced by the secondary steel manufactures (as this has been denied by the State ad Central Government departments in Kerala). **Director General BIS has accepted the BAI proposal and advised the Kerala Government to permit the contractors to use the steel from the secondary manufacturers. This is another achievement of BAI President.**

❖ 3rd and 4th August, 2018 – **M.C./G.C. Meeting at Vishakapatnam**

3rd August – Evening:

- (a) CIDC director Dr. Swarup was invited to deliver a speech about CIDC activities as many members of BAI were not knowing much about CIDC. And Dr. Swarup spoke for about 45 minutes.
- (b) Shri. P.K. Malhotra, Former Union Law Secretary was invited to deliver speech on Laws connected to building sector and he assured to the builders for any legal remedy required in connection to Construction Industry as he his having vast experience in the field.
- (c) Shri. V. Ramnath, Executive Vice Chairman, M/s. Andhra Pradesh Township and Infrastructure Development Corporation limited was invited to address on various issues connected to real estate industry with its possible solution. This was very informative to our BAI members.
- (d) Advocate C. B. Mukundhan (Kerala) expert on Labour laws was invited for enlightening BAI members about daft labour code and issues ailing the construction industry. Much awareness was created about labour laws.

4th August – M.C./G.C. Meeting – BAI President personally recognized the following BAI members / recipient of various awards.

- (a) Shri. A. Kasiviswesara Rao (Chairman, Vizag Centre) for having received Vishwa Karma award 2018.
- (b) Shri. R. B. Suryavanshi (Pune Centre) for having received prestigious ACCE(I) GOURA Award 2018.
- (c) Shri. Ranjith More (Pune Centre) for having received world greatest leader 2017-18 Asia &

GCC.

- (d) Shri. Manjerekar (Mumbai Centre) for becoming "Honorary Member" of American Concrete Institute.

The M.C./G.C. meeting at Vizag was well conducted and The 77th AGM was also well conducted at Vizag.

- ❖ 10th August, 2018 – BAI President wrote to Mr. Paul T. Mathew, State Chairman – Kerala, sharing concern about natural disaster, extensive flood damage in many districts of Kerala and committed to mobilize funds and also to supply various flood relief materials to all the areas.
- ❖ 14th August, 2018 – BAI President attended a meeting at Madurai, where Commissioner was invited to deliver a speech on GST matters.
- ❖ 16th August, 2018 – BAI President wrote all M.C./G.C. Members seeking suggestions on model bidding document for EPC contracts formulated by NITI AYOJ. As this document is ready for releasing to the public. This matter also has been printed in Indian Construction Journal.
- ❖ 18th August, 2018 – BAI President wrote letter to Dr. Swarup, Director, CIDC to take up all issues mentioned in the letter to the concerned Ministry to find the possible solution for the contractors as discussed in Vizag meeting on 4th August, 2018.
- ❖ 2nd & 3rd September, 2018 – BAI President had a visit to Kerala to see the flood affected area in some of the districts and met local MLA and assured of possible support from the BAI. The BAI President distributed around 20 lakhs worth of flood relief materials to distressed people in many areas of Kerala and further assured the state chairman of Kerala to support financially for rehabilitation/for building new houses.
- ❖ 6th September, 2018 – BAI President with a team of BAI senior functionaries met Shri. Anil Agarwal, Joint Secretary, Government of India, Ministry of Commerce and Industry and discussed various problems faced by the Construction Industry highlighting the various issues to find possible solution. This was greatly appreciated by the joint secretary. This matter was also printed in the Indian Construction Journal.
- ❖ 14th September, 2018 – BAI President wrote to all the members about the **Drone Pilot Technology** Training and to approach Dr. Swarup CIDC for any further help (regarding training of our members). This was also printed in the Indian Construction Journal.
- ❖ 7th October 2018 – BAI President attended Builders'

Day celebrations at Vellore Centre as Chief Guest.

- ❖ 8th October, 2018 - BAI President deputed Shri. R. N. Gupta, Past Vice President BAI, to attend a meeting in CIDC office New Delhi carrying valid points written in a letter by BAI President to be discussed with Director CIDC.
- ❖ 11th October, 2018 - BAI President attended Northern Zone Regional meeting as chief guest held at Pragathi Maidan, New Delhi.

Prior to this meeting Light India 2018 - International Exhibition on lighting products and technologies, electrical engineering and building automation was held. BAI President had participated in the inaugural function and had a great opportunity to meet and interact with Hon'ble Union Minister for Commerce and Industry and Civil Aviation Shri. Suresh Babu and submitted a memorandum connected to various issues faced by the Construction Industry. The Minister appreciated very much. Further, the President has an opportunity to interact with Hon'ble Minister for Science and Technology Dr. Harsh Vardhan and briefed about Construction Industry and BAI.

- ❖ 15th October, 2018 – BAI President attended Tirupur Centre Builders' Day Celebration as Chief Guest.
- ❖ 24th October, 2018 - BAI President attended State Level Meeting of Tamil Nadu at Yercaud, Salem as the Chief Guest.
- ❖ 25th October, 2018 - BAI President was the Chief Guest at a mega Tree Planting Function (1000 Trees – for achieving green campus) at National Institute of Technology, Trichy (NITT) organized by Past Chairman, BAI Trichy Centre Shri. Shankaran. Capt. A. Mohan and Mr. Sudharsan BAI members participated apart from Director of NITT, HOD (Civil Engg.), and other faculties of NIT.
- ❖ 27th October, 2018 – Shri. Raviwig, EPF Trustee (BAI Member) called for a meeting at New Delhi on PF issues, a letter drafted by BAI President was sent through Capt. A. Mohan and participated in the meeting and focused the issue very well in the meeting.
- ❖ 29th October, 2018 - BAI President attended validity session of the skill development program as Chief Guest organized by Coimbatore Centre. The program was conducted for 4 days for various categories of workers. The organizing Committee chairman was Mr. Chandrashekar.
- ❖ 12th to 16th November, 2018 – 100 + delegates with BAI family members of 200+ participated in **44th IFAWPCA Convention** (Theme: Strategic Alliance with Innovation and Human Capital) held at Kuala Lumpur, Malaysia between 12th and 16th November 2018. **Chief Delegate BAI President A. Puhazhendi**

addressed the gathering of delegates from 20 countries and the speech was very impressive and appreciated by everyone. Out 20 Countries, India had the highest delegate registration which was properly recognized in the IFAWPCA meeting. This was the highest registration of delegates under the BAI President A. Puhazhendi. Technical papers of high order were presented by international speakers from various countries. Our members had a golden opportunity to interact with various country delegates.

- ❖ 25th November, 2018 - BAI President attended Builders' Day Celebration as Chief Guest at Coimbatore Centre.
- ❖ 10th& 11th December, 2018– IIIrd M.C./G.C. Meeting at Gurgaon

10th December – Evening:

BAI President invited incoming IFAWPCA President Mr. Mohamed Ali Janah (from Maldives) to address our BAI members about the next IFAWPCA meeting to be held in July 2020 at Maldives. IFAWPCA President spoke about various opportunities available in Maldives and other countries for trading and construction business and also invited our BAI members to participate in large numbers. It was really a colourful function.

11th December – Morning:

Prior to M.C./G.C. Meeting, BAUMA ConExpo India 2018 Exhibition at New Delhi was inaugurated by Hon'ble Shri.Rambilas Sharma, Education Minister, Haryana along with BAI President A.Puahzhendi around 10 A.M.

M.C./G.C. Meeting commenced after the inaugural function and went on until 5 P.M. taking up various issues for debate and the meeting went on very well.

In the evening, all members visited BAUMA International ConExpo Exhibition consisting of 700 stalls.

- ❖ 12th December, 2018 – Shri. R.K. Tripathi, Chief Managing Director, National Housing Development Organization met BAI President and discussed about various housing projects to come up in all the states of our country and requested the BAI co-operation in implementing the project.
- BAI President has submitted a representation to Shri.Upendra Gupta, GST Commissioner, Ministry of Finance pointing out the complication faced by the Construction Industry.
- ❖ 17th December, 2018 - BAI President was the Chief Guest at Pune Centre for well-built structure award function. The award was for 9 different categories and there were 17 juries (Non-BAI members). The structures for the award were selected around

200kms radius of Pune. This is purely selected on merit basis.

- ❖ 19th December, 2018 – Attended a technical meeting regarding Town Planning Rules (Power-point Presentation by Mr.Palanivel, Tirunelveli Centre) with BAI President as the Chief Guest.

BAI President has written a letter to Shri.R.K.Tripathi, Chief Managing Director, National Housing Development Organization to invite BAI members for effective implementation of various housing projects across the country.

- ❖ 23rd December, 2018 - BAI President attended Builders' Day Celebration at Namakkal Centre as Chief Guest (2018-19 Theme: Innovative Techniques in Modern Construction).

- ❖ 24th December, 2018 – Attended Mysore Centre Builders' Day Celebration as Chief Guest.

(a) Afternoon, the BAI President headed the board meeting of Mysore Centre. Members explained the activities of Spoorthi Wing – Tree plantation, Swachh Bharath and also taking care of Construction workers and their family members' health issues and their children's education and environmental celebration for a month time.

(b) Mysore Centre has got a well designed airconditioned auditorium, dining hall and a mini-conference hall, office rooms, etc. A full-time doctor is appointed for taking care of the construction workers and their family.

(c) Training of engineering graduates are done periodically.

- ❖ 26th December, 2018 - BAI President has written a letter to Secretary Union Ministry of Labour, Government of India on EPF for unorganized sector labours marking copy to Central Provident Fund Ministry, New Delhi.

- ❖ 27th December, 2018 - BAI President wrote a letter to Dr. P. R.Swarup, Director General, CIDC requesting him to communicate "NITI AYOOG" to release the model bidding document for EPC contracts.

- ❖ 28th December, 2018 - BAI President has written second reminder letter to Shri.Prabhakar Singh, Director General, CPWD requesting him to sort out grievances of CPWD enlisted contractor problem.

- ❖ 30th December, 2018 - BAI President attended Thanjavur Centre Builders' Day celebration as Chief Guest.

- ❖ 2nd January, 2019 – Communicated all BAI members

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- about EPF. Regarding the direction give by the Nagpur High Court that the EPF authorities should not to collect any more EPF on turnover basis. If at all collected should return back to the concerned Contractors/Firm if they could not identify the beneficiary. A landmark direction by the High Court (This was possible due to continuous follow up action by the BAI President and Headquarters, Mumbai.
- ❖ 4th January, 2019 - BAI President deputed Shri. R.N. Gupta to attend CIDC meeting and to request them to release standard contract document and other matters like Arbitration, etc.
 - ❖ 11th January, 2019 - BAI President wrote a letter to the Hon'ble Prime Minister of India covering all issues like,
 - (a) ESIC & EPF
 - (b) Labour Cess
 - (c) Stable prices of cement & steel
 - (d) Higher prices of aggregates prevailing due to state government policies
 - (e) **To consider a separate Ministry for Construction Industry, etc.**
 - ❖ 17th & 18th January, 2019 - BAI President visited Pune to meet Mr. Satish Mahar, incoming National President, CREDAI to join with BAI for focusing common issues like labour laws, ESIC, EPF, Price rise of cement, steel and other relevant matters. Many senior members of BAI - Pune Centre attended the meeting. And it was decided to take CFI too along with our association for solving the above problems.
 - ❖ 25th January, 2019 – South Zone IInd Meeting at Trichirappalli. BAI President attended as Chief Guest. As directed by the BAI President, Trichy GST Commissioner delivered a valid informative speech on GST.
 - ❖ 3rd February, 2019 - IInd West Zone Meeting was held at Ahmedabad, Gujarat. BAI President was the Chief Guest and addressed the gathering regarding many matters related to Construction Industry. Many issues were debated in the meeting.
 - ❖ 4th February, 2019 - BAI President visited Vijayawada Centre as Chief Guest. 9 BAI Centres of Andhra Pradesh assembled at Vijayawada, where BAI Vice President Shri. Ramakotaiah and BAI State Chairman (AP) Shri. Venkateshwara Rao were also present to celebrate the Builders' Day in a grand manner. Also, many top government officials participated in the meeting.
 - ❖ 8th February, 2019 – Regarding abnormal price rise of cement, BAI President has written a letter to bring down the prices and to appoint Regulatory Authority for cement to the following Union Ministers, (i) Hon'ble Union Minister for Commerce and Industry, (ii) Hon'ble Union Minister for Housing & Urban Development, and (iii) Hon'ble Union Minister for Surface Transport & Shipping.
 - ❖ 11th February, 2019- BAI President wrote a letter to Dr. Rajiv Kumar, Hon'ble Vice Chairman, "NITI AYO" for releasing the model building documents as early as possible.
 - ❖ 13th & 14th February, 2019 - BAI President was specially invited as VIP Guest for CREDAI Youthcon'19 Conclave held at Delhi. This personal invitation was extended by Shri. Jaisy Shah, CREDAI President and Shri. Sriram, Mysore, CREDAI Joint Secretary. It was a wonderful event where the Hon'ble Prime Minister Mr. Narendra Modi was present for more than an hour. He delivered a wonderful speech on the Housing Sector and the huge benefits given in the recent Union Budget.
- BAI President has an opportunity to meet Shri. Piyush Goel, the then Finance Minister (in charge) and explained about the abnormal cement price rise and submitted a memorandum. The Finance Minister assured BAI President to look into the matter.
- BAI President interacted with Union Minister of State for Housing & Urban Development Affairs and Hon'ble Union Secretary, and highlighted the highest stamp duty being collected by Tamil Nadu Government. And further informed that this will very badly affect the growth of Housing Sector in Tamil Nadu and requested him to advise the State Government of Tamil Nadu to reduce the Stamp Duty at par with other States.
- BAI President personally met Shri. Amitabh Kanth, CEO, "NITI AYO" discussed and submitted a memorandum to release the model bidding contract documents at the earliest possible time and he assured the BAI President to do the needful.
- BAI President personally met Shri. Rajinish Kumar, Chairman, State Bank of India and interacted/requested to relax the Bank Norms in order to reduce the N.P.A. and the H.D.F.C. Bank Chairman was also present.
- Overall, the BAI President took advantage of using the golden opportunity to meet the above Ministers and officials to solve the Construction Industry's problems. Many BAI Senior Members appreciated the initiatives taken by the BAI President.
- ❖ 14th February, 2019 – Afternoon: BAI President headed a meeting with Delegates from Maldives (Business Promotion Meeting) held at BAI Office, New Delhi.
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- Evening: BAI President called for a meeting with CPWD Contractors regarding the problems being faced and the remedy to tackle these. This meeting was held in BAI Office, New Delhi.
- ❖ 20th February, 2019 - BAI President constituted a high level advisory board as discussed in the Bangalore meeting consisting of BAI Past Presidents Shri. R. Radhakrishnan, Shri.B. Seenaiyah, Shri. Cheriyan Varky, Shri. Lalchand Sharma, Shri. Sushant Kumar Basu, Shri. Avinash M. Patel, Shri.H.N.Vijayaraghava Reddy, Shri.S.P.Goel and Shri. B. N. Dikshit and the convener is Shri. K. Sriram, Mysore (Past State Chairman, Karnataka). This advisory board would be recommending high level policy decisions to the Managing Committee.
 - ❖ 22nd February, 2019 - **IVth M.C./G.C. Meeting held at Durgapur**
BAI President greatly appreciated Shri.Rajendra Singh Kombh, BAI Vice President (East) for having conducted 3 East Zone Meetings in different places and for the first time organizing All India M.C./G.C. Meeting at Durgapur in an exemplary manner. The M.C./G.C. Meeting went on in a planned and a systematic way.
 - ❖ 26th February, 2019 - BAI President was invited as Chief Guest to deliver Keynote Address in Federation of Civil Engineers' Association – Trichirappalli Chapter at Trichy.
BAI President wrote a letter to RERA Authorities, New Delhi to include a BAI Member in RERA Committee at National Level.
- During the tenure of BAI presidency, 8 new BAI Centres were opened throughout the country.
- ❖ 6th March, 2019 - BAI President attended a meeting at Madurai Centre in Builders' Day celebration and issued awards to the Quiz Competition winners of Engineering Students.
Shri.Sivakumar, Former Director, IOC excellently spoke on Energy audit and Green Building Concept.
 - ❖ 14th March, 2019 - BAI President was the Chief Guest for the Chettinad Centre's Builders' Day Celebration.
 - ❖ 19th March, 2019 - BAI President participated in Past Chairmen's Day celebration organized by Tiruchirappalli Centre.
 - ❖ 24th March, 2019 - BAI President inaugurated Udumalpet Centre at Udumalpet, Tamil Nadu which was a mega event.
 - ❖ 26th March, 2019 – Mr.A.Puhazhendi was given felicitation on completing his tenure as BAI President.
 - ❖ 28th March, 2019 - BAI President inaugurated Poonamalee Centre at Chennai.
 - ❖ 29th March, 2019 – BAI President was present in BAI Headquarters, Mumbai during the counting of Ballots for the Trustee Election of BAI South Zone and declared the election results.
 - ❖ 30th March, 2019 – BAI President was present in the BAI Headquarters and handed over the charges to the incoming BAI President (2019-20) Shri. Sachin Chandra.

Report of the President and Managing Committee of Builders' Association of India for the year 2018-19

Friends,

The President and the Managing Committee have great pleasure in presenting the 78th Annual Report of the Association along with the Statement of Accounts and the Auditors Report for the year 2018-19.

CONSTRUCTION INDUSTRY OVERVIEW – India by 2050

India in July 2016 completed twenty five years of economic liberalisation initiated in 1991, resulted in increased G.D.P,

growth and higher per capita income etc. By 2051, India shall have highest population in world at 160 crores consisting of 80 crores each of urban and rural population respectively and likely to emerge as third biggest economy in terms of purchasing power parity. Urban areas would contribute about 70% of G.D.P. It is necessary to visualise emerging economic, scenario in next 34 years i.e. up to 2050. It is instructive to go back in last sixty years as to what economic growth India has achieved and resultant per capita income with future projections as shown in table below :

Sr. No.	Period	Average G.D.P. growth in percentage	Per capita income in dollar based on purchasing power parity	Remark
1	1950 to 1980	3.5	557	This period described by late Prof. Raj Krishna as "Hindu Rate of growth".
2	1981 to 2015	6.2	6100	Actually economic reform started in 1980, but liberalisation came in 1991. This growth period sustained over 34 years for giving goods result.
3	2015 to 2050	6	52000	Average growth rate of 6% over higher base rate of 6.2% will be much tougher to achieve. This is necessary to put India in to middle level economy.

Many feels that to achieve six percent growth rate during 2016 to 2050 is possible by creating huge manufacturing base like that of China, creating jobs and exporting goods, in the process creating wealth. Needless to state that when China started it's development journey it had no established competition. Global overcapacity in manufacturing, rules out India following Chinese model of development. Domestic consumption will drive economic growth and not export. Economy will be service led and not manufacturing led. Small and medium business will lead rather than large corporation. Even otherwise services contribute almost sixty percent to G.D.P. against eighteen percent of manufacturing and twelve percent of agriculture, rest is by mining and other sectors.

India is the largest young India in an ageing world and will continue to have a young population for next 25 years. Average age of Indian population is expected to increase from 29 years in 2015 to 38 years by 2050, whereas China has started ageing. As greying western economies faces a productivity challenges, health care providers around the world will come from India. Logistics, transportation and construction are hard and tough businesses activities in

which ageing population would not like to work. Who else than young Indians fill the jobs around the world? There is going to be doubling of GDP growth in services like housing, education and health care. Services are labour intensive and their incremental return on capital is much faster than manufacturing.

Town Planning

As stated earlier with migration of additional 423 million people from rural to urban to areas in next 35 years, additional 47 cities with more than a million plus population will get created. Town planners by compulsion of circumstances will have to restrict town planning area to bare minimum with higher F.S.I. / F.A.R. and go for vertical development in order to save on cost of providing civic infrastructure such as water main, sewer line, sewage treatment plant, civic roads etc. In respect of 53 existing cities with a million plus population, re-development of areas also have to be carried out with higher F.S.I. and vertical growth.

Knowledge Economy

Next thirty four years is going to be a period of

“knowledge economy”. Digitising life and work, smart physical systems, energy technologies and next generation of genomics are going to be part of knowledge economy. This has already started transforming banking, health care, energy, retail, government schemes like Jan-Dhan, Adhar & Mobile (JAM). Various multi-nationals have over 1000 R&D centres in India employing over 200000 scientists, engineers and technologists doing cutting edge research, design and development. In the process significant Intelligent Property is likely to get generated. Retailing has already seen a paradigm shift in business practice. Retailing companies will use virtual reality (visuals and haptographies sensors (for touch) in a big way to overcome Indian consumers “feel and touch” mentality. As a matter of fact technology based start-up called e-commerce like Ola, Uber, Flipkart, Zomato, Snapdeal etc have started dominating retail market. India is already a leader in manufacturing of patented expired drug called “generic drug” contribution 20% of in world supply. It is pioneer in research of “Bio-Chem Drug”. Software industry employed 35 lakh people and earned 100 billion dollar in 2015, likely to increase further.

Housing Scenario

Thirty five years from 2016, India’s urban population according to demographic projection is likely to be 800 million, same as that of rural population, having urbanisation rate of 50% with 100 cities having million plus population. Compare this with 2011 census figures having 377 million urban populations and 834 million rural populations and having urbanisation rate of 31.16% with 53 cities having more than a million plus population. Thus 423 million additional people will migrate from rural area in next 35 years into cities creating additional 47 cities with more than a million plus population. With higher disposable income in hands of young Indian, urge to own a flat is inevitable. Period from 2016 to 2050 shall also see expansion of middle class creating fast moving consumer goods demand and services. Housing industry in order to accommodate 42.30 crores migrant population will be called upon to provide 8.46 crores units x 5 persons per unit = 42.30 crores, during period of next 35 years (2016-2051). This 8.46 crore units required during 2016-2051 period, are in addition to shortage of 1.878 crores housing units under various categories in 2012. Thus total of 10.338 (8.46+1.878) crores housing units are required to be created by 2051. It means that housing industry has to provide yearly approximately 298000 units x 35 years = 10.318 crores against it’s present delivery capacity of eight to ten lakh unit per year. Bulk of demand is going to be for affordable housing and middle income group housing. Even today the dominant trend is a huge demand – supply mismatch in the housing sector, which will accentuate in coming years, resulting in rise in residential property price. In view of rising land prices future buildings / townships shall have higher F.S.I. with vertical growth, limiting geographic spread of city to save on resource starved municipalities in providing civic infrastructure.

Construction and Housing Industry at present is by and large in unorganised sector. With massive housing requirement, huge spend on infrastructure, lot many companies will get listed in stock exchanges. As a matter of fact business houses such as Godrej, Adani’s, Piramal are already in real estate as one more business vertical. By 2050, about 200 companies both in Housing & Infrastructure may get listed in stock exchanges thus starting a process of moving from unorganised to organised sector. Higher prices of commercial properties in metro towns shall prompt IT / BPO and E-commerce companies to shift their operation to affordable price in Tier II and III towns. Thus majority of the future housing demand shall come from these towns. Construction on such massive scale shall create more jobs for architects – engineers & supervisors. It is estimated that India needs to double it’s annual investment in housing to 200 – 250 billion U.S. dollar to fulfill it’s housing demand. Buildings account for about 40% of total global emissions and are referred to as one of the biggest polluters. However the trend is expected to change in future. Spiralling energy prices, rising pollution levels and increasing consciousness towards sustainability drive development of efficient, smart and green buildings. Buildings in future need to be efficient in terms of energy consumption and space utility. With enactment of Real Estate Regulatory Act, real estate transactions are likely to be transparent and cashless. Selling and purchasing of flat is going to underwent fundamental change. This period is expected to see establishment of Housing stock exchange. Homes / flats being sold or given on rental will see a paradigm change from the present practice of visiting the construction site to have feel of house. Use of technology such as 3D printed will enable flat purchasers to have complete idea of how his flat would look like on completion, enabling him to decide for purchase of flat.

Construction opportunity

As stated earlier housing industry shall have to provide 10.338 crores housing units from 2016 to 2050. Taking average unit size of 700 sft (includes EWS / LIG / MIG / HIG) construction industry have opportunity of 10.338 crores x 700 sft = 7236.60 crores sft. This will turn out to be 7230.60 / 35 years = 206.76 crore sft. of housing per year for next 35 years Present Government’s policy of providing housing to all by 2022 shall spur housing demand and construction opportunity. Exploitation of natural resources on massive scale such as crushing of stone into aggregate, sand dredging, limestone’s, murrum for bricks making, Iron ore etc. shall take place. It is doubtful whether environment concern by Government and N.G.O’s would permit exploitation of resources on such massive scale. In such scenario, alternative to natural sand, Murrum, stone aggregate will have to be found out by Construction Industry in collaboration with research organisation in order to maintain environment equilibrium. New Construction technologies such as pre-engineered buildings, pre cast – prefab housing units are

evolving rapidly, Industry has therefore to come out with better cost effective, faster and easier mode of execution of building construction such as prefab housing components, steel structure etc.

Housing Finance

Housing finance sector in the India is underpenetrated in as much as it's mortgage to G.D.P. ratio is 9% compare to 17% in Thailand, 20% in China and 34% in Malaysia all in India's neighbourhood. Government did not accord priority to housing sector till early 1970's, when HUDCO was established as wholesale lender. It was only in 1977, that HDFC was set-up as first retail mortgage finance company. Till late 1980's, Insurance companies, public sector banks and a few private players set up housing finance companies. It was only in 1987 that National Housing Bank was established as regulator for housing finance companies. Pursuant to boom in IT/BPO sectors, employing educated young Indians, age of flat purchasers came down to 30 years from earlier 45. Housing finance companies need to come out with innovative finance scheme at lower interest rate as was the case in early 2004, when home loan rate was 7.5%, which pared way for buying a flat. Securitisation of home loan portfolio, together with appropriate ratings and guarantee structures, are imperative to support the growing resources need of finance system. The role of National Housing Bank is going to be crucial in the evolution of housing finance sector. N.H.B. may have to shift it's focus from being merely a regulator-cum-refinancers to that of market maker. As the housing finance operations increases or deepens, a vibrant secondary mortgage market with securitisation will be critical in taking care of burgeoning demand for housing finance.

Education Scenario

India has over 757 universities, 38056 colleges and 11922 stand alone institutions. For higher education the gross enrolment ratio in the age group of 18 to 23 years as a percentage of eligible population in that age group has moved upto 23.5% in 2014-15 from 21.5% in 2012-13. Of the 33.3 million young men and women in higher education, 80% of the students are enrolled in under graduate level programme. Unfortunately education is curriculum driven not helping students to think beyond classrooms. The mismatch between the needed capability and reality are leading to serious issues of employability of the graduates. Skill driven education related to practical and real world of work is needed for better employability. That is going to be trend hereinafter. In times to come the gap between college wage premium and skill wage premium will vanish. Technology is expected to change education in time to come. It is reasonable to assume that by 2030, videos will be the standard medium of instruction. Lessons will be delivered in the video format, interaction with teacher and other students will be through video collaboration tool and assessment will also happen by the student submitting a video, which will replace text. Robots will be able to teach most of what teachers teach in classroom. Virtual Reality (VR) technology is an immersive multi-media computer technology that replicates an environment and allow user to participate or interact in that environment. Virtual Reality is now already used in training in-flight stimulators and for some architectural studies. By 2030, Virtual Reality could also become omnipresent in education. Of all the forms of learning's apprenticeships i.e. learning while earning will substantially increase. India only has 300,000 apprentices, while Germany has 3 million, Japan 10 million and China 20 million. Employment will changed from being a lifetime contract to a taxicab relationship, because employers will not be permanent institutions.

Real Estate Regulatory Authority, Regulation a New Regime

Current Scenarion and BAI's Initiative

It is now almost one year since the Real Estate (Regulation and Development) Act (RERA) has been introduced to the domestic real estate market. After having come into being the Central regulation has completely changed the dynamics of the real estate sector, which had been moving in an unorganized manner. RERA has been a watershed event for the real estate industry, which in the last couple of years, has witnessed a series of disruptive policy initiatives. While, post RERA, the industry is still under transition, the regulation presents tremendous potential to transform the entire landscape of the industry, going forward.

Reforms led by RERA are helping the property sector to commence its second growth phase, where market will move in a much transparent and organized manner. The process has started to create a market place, where all stakeholders act in a much accountable fashion and thus entail the much-needed depth to the market structure and its functions in the long run. While the market is gradually in the process of coming out of the short-term disruptions like demonetization, GST and others, the long-term reform such as RERA is showing its impact on the overall functioning of the real estate business in the country.

RERA – BAI's representation with Shri Anil Agrawal, Joint Secretary, Government of India

Department of Industry Policy and Promotion (Make in India Section), Ministry of Commerce and Industry, Government of India, convened a meeting in Udyog Bhawan, New Delhi on 6th September, 2018 for stakeholders of Indian construction sector. Mr. Anil Agrawal, Joint Secretary, Ministry of Commerce & Industry, Government of India chaired the meeting. During the meeting Mr. A. Puhazendi submitted a representation on issues of Indian construction, which is produced herein below.

Ref: 366/S/2018-19 dated September 7, 2018

Shri Anil Agrawal
Joint Secretary, Government of India
Ministry of Commerce & Industry
Department of Industrial Policy and Promotion
Udyog Bhawan,
NEW DELHI

Sub: Stakeholder meeting for Construction Sector.

Dear Sir,

At the outset, we appreciate the Commerce Ministry for giving an opportunity to Builders' Association of India (BAI) to present its views, at your office, on 6th September 2018, on the present scenario of the Construction Industry with a view to seek the attention of the Government to bring necessary relief package for the Industry.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from

policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

(i) Regulatory issues in Construction Sector.

The Construction Industry has played a significant role in supporting the steady growth of Indian economy over the past. Second only to agriculture, the construction industry constitutes 8% of GDP. With the rapid rate of urbanisation and increasing liberalisation of the economy, the growth in the housing market is also substantial. Under a single national scheme "Pradhan Mantri Gramin Awaas Yojana (PMGAY)" the Government of India is committing to building over 30 million homes by 2022. To support the growth in the construction industry, an appropriate regulatory framework is crucial.

India is a country with a population of 1.3 billion,

residing in 29 States and seven Union territories. Total GDP is over two trillion US dollars, growing at more than 7% per annum. No single regulatory framework is currently in place. There is a high degree of fragmentation of policies, which therefore does not support standardised practices or quality in construction.

- Need of a Unified Standard Contract Document with appropriate dispute resolution clauses replacing the contract conditions made in the British Raj.
- The sanctioning Authorities / Departments of the Government to issue various permissions / licences, should work together, so that the Industry could progress faster.
- Once the master plan is approved by the concerned Ministry of the Government of India, seeking approval for the same project in the same area should not be insisted.
- Patient and sympathetic hearing should be permitted from the Contractors for levy of GST on ongoing projects.

(ii) Issues in implementation of affordable housing and interventions suggested.

- Government should consider providing land to the builders' at free of cost for making the Affordable Housing Scheme successful in order to reduce the cost of flat.
- Under the Affordable Housing Scheme, Government should undertake obtaining permission from various Authorities, such as Airports, Environments, Forests, Water Bodies and similar Departments.
- Clearance from Ministry of Environment & Forest Authorities should be the responsibility on the Government.
- Permission from other Department like Airports, Railways, Seashore, water bodies, fire fighting department etc. etc. should be solely the responsibility of the Government Department (Central/ State/local bodies).
- There should be online approval for all projects within a time frame.

(iii) Issues in RERA implementation and intervention suggested to address the present issues.

- Online Single Window permission with time bound facility should be provided by RERA Authorities.
- India is lying at 181 out of 190 countries for

getting permission on land & building related approval matters Government should ease the approval procedure for land and building.

- Issuance of Occupation Certificate and Phase-wise Certificate should not be clubbed with land payment or similar charges. Construction activities should be considered as a separate activity and should be separately dealt with Revenue Authority.
- Ongoing projects should be exempted from registering with RERA Authorities.
- Before registration, Real Estate Developers should be allowed to advertise the projects with media, bulk SMS, mass Email, etc. without permitting to collect the booking amount from the flat purchasers, so that builder should have a good platform to continue with its business.
- Society formation and Land Conveyance of the project should be insisted only after completing the sale of all the flats. (As of now it is 51% of the total booking).
- Maintenance period of items used for plumbing, electrical, sanitary wares, doors & fittings etc. should be made for one year instead of the current 3 years.
- RERA Registration fees at present is Rs.50,000/- should be reduced considerably.
- The heavy penalty laid down in the RERA Act should be considerably diluted with a view to encourage the Real Estate Industry.
- The current 70% escrow account balance should be increased to 85%.

(iv) Issues in scarcity of raw materials used in Construction Sector.

- **How to overcome sand scarcity and efficiently manager existing sand resources.**

Sand

- Natural sand should be extracted to facilitate free flow of water through the river. Government should undertake a study at national level in this purpose, as the Hon'ble Supreme Court has already banned extracting sand from the river bed.
- As of now neither the State Government or the local authorities get the revenue of sand extracting due to the interference of 'Sand Mafia'.
- Government should consider a high level

research on usage of sand alternative material in place of sand.

- Direction should be issued to the state authorities to issue licence or permission for more number of quarries to make ‘M Sand’.
- Import of sand should be made easier and builders should be permitted to import the Cement without any interference of the government.

Cement

- Cement Manufacturers often indulge into unethical business practice like cartelisation with the purpose of profiteering. Earlier, The Monopolies Restrictive Trade Practice (MRTP) Commission and now Hon’ble Competition Commission of India, have time and again, issued order to the effect that, the Cement Manufacturers should ‘cease and desist’ from cartelisation. On 20th June 2012, the Hon’ble Competition Commission of India have penalised 11 Cement Manufacturers a huge amount of Rs.6,307/- crore, for cartelisation. This penalty was upheld by National Company Law Appellate Tribunal (NCLAT) on 25th July 2018.
- Duty free import cement should be permitted rein in cement manufacturers’ profiting method.
- **Government should seriously consider appointing a Cement Regulatory Authority.**

Steel

- Construction Industry is in a standstill position due to various factors and the major factor is the increase of price of construction materials, particularly **Steel** and **Cement**. The surprising fact about Steel price increase is, there is no corresponding increase in any of the input or raw material used in the production of Steel. The slowdown in Construction Industry has a huge effect in the GDP growth of the country and also rendered lakhs of workers unemployed.
 - **Government should seriously consider appointing a Steel Regulatory Authority.**
- **Interventions to leverage construction and demolition waste in construction sector.**
 - Government should bring policies to establish recycling units for demolished building debris recycling of these waste material could be useful for further construction.

- **Rationalising GST on raw materials used in the sector.**

- Refund of excess input tax credit should be considered in affordable housing.
- Taxability of advance received should be considered at lower rate.
- Time limit for reversal of credit on failure to pay should be increased from 180 days to 365 days.
- Any revision in return / Debit / Credit Note, which is allowed till 20th October 2018, this time limit should be extended till 31st March 2019. As it is a new law and required a lot of time to understand it nitty gritty in complete.
- Clarification should be provided on applicability of Anti – Profiteering regulation for speedy action Government should come out with a formula which will be applicable to all as an option available to them.
- Applicability of E-way bill for the movement of plant & machinery owned by the company within distinct entity should be done away with.
- Diesel / Petrol should be brought into GST with ITC allowed for same. Further mandatory in price escalation on diesel / petrol be allowed.
- Rate of levy of GST on joint development / re-development of flats is not clear now. Please issue clarification.

- (v) **Leveraging new construction technology in the Sector.**

- **Government should adopt new technology like, pre-fabricated structure, pre-cast, pre-stressed GRP walls etc. in modern construction.**
- Green Building concept such as Solar Energy, recycling of waste water, avoiding wood work in the building to save deforestation, rain water harvesting and use of AAC plant.
- To reduce the use of sand, GGP Core Plastic should be encouraged.

- (vi) **Skill gap in the sector and strategies to address the skilling issues.**

- BAI with its vast network of contractors throughout the country, it should be given the responsibility of skilling and certification of workers. Each construction site is equipped

with machineries, equipments, tools and materials, the workers can be given proper practical training at site itself. BAI Branch office could be used for this purpose, in order to produce very large number of skilled workers to meet the Construction Industry demand.

(vii) Interventions required for improving / mandating quality & standards in construction sector.

- Trained workers in large numbers and professional engineers could help the industry to bring quality workmanship using latest technology and alternate materials in the construction industry. Periodical seminars and workshop for upgrading the skill and technologies at work sites to be carried out.

(viii) Any Other Issue

- We appreciate the initiative taken by the Government to call such meeting and request for similar meeting to be held once in three or four months in a year, so that Industry could express its views directly to the Government.

Thanking you,

Yours sincerely,



A.PUAZHENDI
President
Builders' Association of India

BAI President written a letter to The Central Advisory Council , Real Estate Regulatory Authority Requesting to include a nominee from BAI to the Central Advisory Council of RERA which is produced below:

Ref: 820/M/2018-19 dated 5th March 2019

The Central Advisory Council
Real Estate Regulatory Authority
Ministry of Housing and Urban Affairs,
Nirman Bhawan, Maulana Azad Road,
New Delhi – 110 011.

Sub.: Request to include a nominee from BAI to the Central Advisory Council of RERA.

Dear Sir,

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 180 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Sir, BAI is honored to have its representatives at various Committees of both Central and State Government so that, it could provide with valuable inputs which helps

the Government to bring unanimity in implementing the provisions in the industry more effectively.

Sir, with this purpose in mind, may we request you to kindly include the name of a senior member of BAI in the Central Advisory Council of RERA so that the industry could make its view points for consideration.

We hope you will consider our request favorably as it will be result mutual benefit to all concerned.

Thanking you,

Yours faithfully,



A. PUAZHENDI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

GST: Construction Industry

The Government of India has identified infrastructure and construction as the key drivers for economic growth of the country and major investment is planned in this sector under the current plan.

Construction sector provides major employment opportunities to the citizens of the country.

The changes in the GST Act and Rules will substantially increase the ease of doing the business in the country. It is pertinent to note that GST amendments reduces the cascading effect of tax by allowing seamless credit. Also it will increase compliance across the value chain very

effectively. It is important that GST Act/Rules are modified suitably so that it facilitates the business and reduces legal hassles. This will enable the business houses focus on productive future.

Since its inception on 1st July, 2017, GST has had many contentious provisions, which BAI tackled by engaging in regular interaction with the Government. While some contentious issues were favourably addressed by the Government, some still remain. Mr. A Puhazhendi, President BAI has addressed a detailed all-encompassing representations to Government of India on these contentious issues, which is reproduced below.

BAI's Representation on Goods and Service Tax (GST)

Ref.: 61/M/2018-19 dated 10th May 2018

To,
Shri M. Vinod Kumar
Chairman,
GST Law Committee &
Principal Commissioner of Central Excise
Bangalore Zone,
Central Revenue Buildings, P.B.No.5400
Queen's Road,
Bangalore – 560 001

Sub: Representation for complications faced by Construction and Real estate sector.

Respected Sir,

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centers (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all around improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Sir, we are indeed very thankful to you for considering our request to equalise the concessional rate applicable to contractor and sub-contractor, providing composite supply of works contract services to Govt.

Further, we are also very thankful to you for reducing the GST rate on metro and monorail projects. This change has benefitted many companies working in infrastructure sector. However, composite supplies of works contract service for port and airport could have been included in concessional rate list.

We appreciate the transparency showed by our Honourable Prime Minister, as being open to change GST system, in order to meet the needs of industry. However, in order to ensure that the real estate and construction industry can fetch maximum benefits from GST system, we would like to represent some issues for faced by the construction and real-estate sector and we request you to do the needful.

1. Deduction for value of land

Sir, kindly refer Para. 2 to Notification No. 11/2017-Central Tax (Rate) dated 28th June, 2017, it says that if consideration for construction services includes consideration for sale of land then, deemed deduction of 1/3rd value for share of land will be allowed from total consideration. Please note that in cities like Mumbai, land value forms 50% of total consideration. It means that GST is also levied on some portion of land. Central Govt. cannot levy tax on sale of land as per Entry 49 of List II of Seventh Schedule of the Constitution. Therefore, we request you to withdraw deemed deduction and allow the deduction of actual land value.

2. Scope of immovable property

We would like to draw your attention to Section

2(119) of CGST Act, 2017 which defines works contract. The definition is reproduced below:-

“works contract” means a contract for building, construction, fabrication, completion, erection, installation, fitting out, improvement, modification, repair, maintenance, renovation, alteration or commissioning of any immovable property wherein transfer of property in goods (whether as goods or in some other form) is involved in the execution of such contract;

Definition of works contract covers only immovable property. Hence, any works executed on movable property has to be classified under composite supplies or mixed supply, as the case may be.

Execution of works includes multiple activities in its ambit and to classify it either as mixed or as composite supply is an onerous task and prone to lots of litigations.

To remove this ambiguity, we request you to take one of the following measure viz.-

- a. To include works executed on movable property in the definition of works contract. Or
- b. To provide guidelines to classify works contract as composite or mixed supplies.

3. Taxability of Transfer of development rights.

Sir, Kindly note that Govt. has issued Notification No. 4/2018-Central Tax (Rate) dated 25.01.2018, to define point of taxation for transfer of development rights in lieu of construction service and transfer of construction service in lieu of transfer of development rights.

We appreciate the intent of Govt. to delay the taxability of construction services received by landowner in lieu of transferable development rights. This clarification will prevent blockage of working capital and save interest cost to a huge extent.

However, as per Section 9 of CGST Act, 2017 levy of tax is on ‘supply’ of goods or services or both. It says,

‘Sec. 7. Notwithstanding anything contained in sub-section (1),—

(a) activities or transactions specified in Schedule III;.....shall be treated neither as a supply of goods nor a supply of services.’

Schedule III covers sale of land.

Will the grant of development right and subsequent transfer of interest in land by land owners amount to ‘sale of land’?

The main issue is that the ‘sale of land’ has not been defined in the CGST Act, 2017.

Apex Court in the case of CIT v. Motors and General Stores (P.) Ltd (1967) 66 ITR 692 and Apex Court in the case of 20th Century Finance Corp Ltd v. State of Maharashtra (2000) 6 SCC 12 held that the word ‘sale’ denotes transfer of title which is irrevocable and permanent. Hence ‘sale of land’ denotes ‘transfer of title in land’.

The word ‘land’ has also not been defined in the CGST Act, 2017.

Will the word ‘land’ only include full title in land or even other interest in land?

One will have to rely on definition under other laws.

As per Sec. 3 (a) of Land Acquisition Act (1 of 1894) the expression ‘land’ includes benefits to arise out of land and things attached to earth or permanently fastened to anything attached to the earth.

As per Sec. 3(4) of Bombay Land Revenue Code ‘land’ includes benefits to arise out of land and things attached to the earth or permanently fastened to anything attached to the earth and also shares in or charges on the revenue or rent of villages or other defined portions of territory.

In the case of Safiya Bee v. Mohd. Vajahath Hussain (2011) 2 SCC 94, Apex Court and Apex Court in the case of Pradeep Oil Corporation v. Municipal Corporation of Delhi (2011) 5 SCC 270 and in S. N. Chandrashekar v. State of Karnataka (2006) 3 SCC 208 as well as in Dena Bank v. B.B.P. Parekh & Co. (2000) 5 SCC 694 it is observed that land includes benefits to arise out of land.

Meaning of title

Hon. Gauhati High Court in the case of Nagen Hazarika v. Manorama Sharma AIR 2007 Gau 62 held that the expression ‘title’ is a broad expression in law which cannot always understood as akin to ownership. It conveys different forms of a right to a property which can include right to possess such property.

Hence, from the above decisions, we can conclude that the word ‘land’ not just includes full title in land but also rights which gives benefits associated with it.

Land development right is a right to carry out development or to develop the land or building or both (see Ginar Traders vs State Of Maharashtra (2011) 3 SCC 1). It is thus a benefit arising out of land included within the word ‘land’.

Hence the expression ‘sale of land’ connotes ‘transfer

(irrevocably and permanently) of title in land including rights in the form of benefits arising from it’.

Development rights are given irrevocably and permanently subject to fulfilment of terms. As concluded above, right to develop a land is a benefit arising out of land and hence the same is squarely covered within the expression ‘land’. Since the same right is given irrevocably and permanently it is covered within the expression ‘sale of land’. The same is covered under entry number 5 of Schedule III to CGST Act, 2017 and hence the same shall neither be regarded as supply of goods or supply of services or both.

As development rights are neither regarded as goods and nor regarded as services, GST should not be leviable on them. When GST cannot be levied on such rights, there is no point in notifying its point of taxation. Therefore, Kindly issue a clarification that transfer of development rights are not taxable under GST. So that the notification issued by Govt. helps industry in a manner in which it should be intended to.

4. Notices issued for claiming credit under Section 140(3).

Contractors has been receiving notices for justifying the eligibility of their claim of excise duty paid on stock, claimed under Section 140(3) of The CGST Act, 2017. For your reference, Section 140(3) is reproduced below:-

(3) A registered person, who was not liable to be registered under the existing law, or who was engaged in the manufacture of exempted goods or provision of exempted services, or who was providing works contract service and was availing of the benefit of notification No. 26/2012—Service Tax, dated the 20th June, 2012 or a first stage dealer or a second stage dealer or a registered importer or a depot of a manufacturer, shall be entitled to take, in his electronic credit ledger, credit of eligible duties in respect of inputs held in stock and inputs contained in semi-finished or finished goods held in stock on the appointed day subject to the following conditions, namely:—

Kindly note that Section 140(3) allows claim of credit to works contractor providing works contract service and availing benefit of notification No. 26/2012-Service Tax, dated the 20th June, 2012, and works contractor availing such benefits are builders. So department is questioning all the works contractors to clarify the allowability of their claim.

We would like to draw your attention to the other scenarios envisaged under Section 140(3) viz:-

1. A registered person, who was not liable to be

registered under the existing law, or

2. who was engaged in the manufacture of exempted goods or provision of exempted services, or
3. a first stage dealer or
4. a second stage dealer or
5. a registered importer or
6. a depot of a manufacturer

A works contractor, is eligible to claim credit of excise duty paid on stock under other scenarios also. Department, without considering this fact, is issuing notices to works contractors asking them to clarify assuming that if they are not builder then, they cannot claim credit of excise duty paid on their stock. This tendency is making life of works contractors extremely difficult. Therefore, we request you to take necessary actions, and instruct department not to harass business without considering the provisions in a reasonable manner.

5. Methodology to be adopted by anti-profiteering authorities.

Sir, kindly note that industry will be more compliant of law when, it will have clarity on procedures to be adopted by anti-profiteering authorities. Resultantly, we request you to issue some clarification about methodologies to be adopted by anti-profiteering authorities for calculation of incremental benefits to assessee on account of implementation of GST. Apart from ease of compliances and documentation on the part of assessee, clarification on methodology will also prevent the chances of excess delegation to the department.

6. Credit of inputs held in work in progress.

Sir, kindly note that Section 140(3) allows credit to works contractors availing benefit of Notification No. 26/2012,-Service tax, dated the 20th June, 2012. The section is reproduced below:-

*“(3) A registered person, who was not liable to be registered under the existing law, or who was engaged in the manufacture of exempted goods or provision of exempted services, or who was providing works contract service and **was availing of the benefit of notification No. 26/2012—Service Tax, dated the 20th June, 2012** or a first stage dealer or a second stage dealer or a registered importer or a depot of a manufacturer, shall be entitled to take, in his electronic credit ledger, credit of eligible duties in respect of **inputs held in stock and inputs contained in semi-finished or finished goods** held in stock on the appointed day subject to the following conditions, namely:.....”*

This provision allows credit of eligible duties on inputs held in stock, inputs contained in semi-finished goods and inputs contained in finished goods.

We would like to bring it to your kind notice that in case of builders, the stock majorly consist of under construction structures which are known as work in progress. Taking a view that semi-finished goods differs from work in progress, department has denied the carry forward of credit of eligible duties on inputs held in work in progress as on the appointed day. The same is clarified in an internal circular issued by Directorate General of Audit, Central Taxes as reported in F. No. 381/274/2017 issued in the month of February, 2018.

However, judiciary hasn't discriminated between work in progress and semi-finished goods. In the case of ALA Chemicals vs. CCE as reported in (2011)-TIOL-940-CESTAT –MUM, it was held that work – in progress goods and semi-finished goods are not defined – common parlance meaning to be used - goods which do not attain finality are called as work -in-progress/semi-finished goods/intermediate goods – Benefit of remission available u/r 21 of CER, 2002.

Further, Chief Commissioner of Central Tax & Customs, Visakhapatnam has issued a press release dated 6.12.2017 stating that the builders need not collect balance monies before 1.7.2017 threatening buyer for higher tax incidence post GST implementation. As per the press release, the builder will not face additional tax incidence as he will be able to claim credits. The relevant portion of the press release is as mentioned below:-

“The Central Board of Excise & Customs, New Delhi and States have received several complaints that in view of the “works contract” service tax rate under GST @ 12% in respect of under construction flats, complexes etc, the people who have booked flats and made part payment are being asked to make entire payment before 1st July, 2017 or to face higher tax incidence for payment made after 1st July, 2017. This is against the GST law. The issue is clarified as below:-

- 1. Construction of flats, complex, buildings will have a lower incidence of GST as compared to a number of central and state indirect taxes suffered by them under the existing regime.**
- 2. Incidence of Central Excise Duty, VAT, Entry tax, etc. on construction material is currently borne by the builders, which they pass on to the customers as a part of price charged from them. This is not visible to the customer as it forms a part of cost of the flat.*

- 3. This will change under GST. Under GST, full input credit would be available for offsetting the GST rate of 12%. As a result, the input taxes embedded in the flat will not (& should not) form a part of the cost of the flat.”*

As stated above, the press release states that even for unit under construction as on 1.7.2017, tax incidence will reduce.

On the other hand the internal departmental circular states that the credit of inputs held in work in progress is not allowed. In such case, the builders will have negative tax impact as in case of under construction units, major cost consists of work in progress and the output tax after GST is increased by almost 5%. Therefore, a press release stating that GST will have positive tax impact on under construction units goes contrary to the circular issued by department.

So as of now Govt. has issued two documents on this issue and both provides contrary view. Without prejudice to above interpretation, if builders are not allowed to carry forward their credits then the prices in housing sector will go up by 4-5%. Looking to the Govt.'s intention to promote housing, increase in price because of additional tax incidence goes against the policy decisions made by Govt.

The fact that tax statute should support policy decisions also put a question mark on reasonability of disallowance of carry forward of credit on inputs consumed in work in progress.

Looking to all the above issues that the builder fraternity is facing, we request you to issue proper clarification that carry forward of credit on input held in work in progress is allowed.

7. Refund of VAT on cancellation of units.

Sir, kindly note that for a unit which is booked in pre-GST regime, two taxes were levied viz.:- Service tax and VAT. Service tax was payable at the time of receipt of advance or issuance of invoice, whichever is earlier.

Post-GST if the buyer cancels the unit then, from the builder, he will demand amount paid by him and if builder has recovered Service tax from the buyer then, it is most certain that he will also ask refund of Service tax amount.

In CGST and SGST Act, there is a separate chapter dedicated to transitional issues as “**Chapter XX – Transitional Provisions**”. The chapter deals with various transitional issues like credits, taxability of on-going works, pending litigations etc. Section 142(5) of the said chapter provides mechanism to claim refund of central tax (Service tax) paid under

earlier regime on cancellation of service. So the builder can claim refund of Service tax from authorities and reimburse the same to buyer.

In Gujarat VAT composition scheme, as per Rule 28(8) (c), (d), (e), a builder is required to pay VAT upon collection of amounts even before construction. He is not allowed to recover tax from buyer and therefore, VAT paid on such amounts will be cost for the developer.

So the two emerging situations are:-

- 1) Ongoing project is cancelled and rebooked by a new customer before completion.
- 2) Ongoing project is cancelled and rebooked by a new customer after completion.

In both situation the builder would have to seek

refund of VAT paid on amounts collected in the pre-GST period. But SGST Act does not contain any transitional provision for facilitating refund to builders.

Therefore, it is our humble request to you to kindly consider complication faced by realtors and do the needful.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

CC : 1) Shri Hasmukh Adhia, Finance Secretary, Minister of Finance
2) Shri Upendra Gupta, Commissioner of GST, Ministry of Finance



Highlight of 32nd GST Council Meeting

The 32nd GST Council meeting concluded in New Delhi with a catena of changes in the present Goods and Services Tax regime.

Important decision made by the Council is the hike in GST exemption Limit to 4 lakhs.

In a significant move, the Council has rationalized the Composition Scheme and approved disaster cess proposed by Kerala subject to conditions.

Council approves the levy of 1% Disaster Cess by Kerala on Intra-State Sales for two years.

Exemption Limit for GST doubled to 40 Lakhs all

States, 20 lakhs for North -East Small states.

GST Composition Scheme Threshold increased to 1.5 Crore w.e.f 1st April 2019 Quarterly Tax payment and Annual Return for Composition Taxpayers.

GST Composition Scheme extended to Service Providers with turnover up to 50 Lakhs. 6% GST applicable to such services.

To discuss relief to real estate sector, GoM comprising 7 members formed. No Further Tax Rate reduction unless the Revenue moves up, said Finance Minister, Shri Arun Jaitley.

NOTE ON RECOMMENDATIONS FOR PROPOSED CHANGES IN GST ACT

Sl. No.	Section / Sub-section / Clause	Amendments marked in underlined portion.	Rationale / Remarks
CGST Act, 2017			
1.	Notification No. 20/2017-IT (Rate) and No. 20/2017-CT (Rate) dated 22.08.2017 The notification indicates that w.e.f. 22.08.2017 the rate of tax applicable on works contract service is 12% instead of 18%.	<u>To issue a fresh notification or to amend the law in respect of rate to give an effect that the rate of 12% on works contract service should be applicable with retrospective effect i.e. from 01.07.2017</u>	Prior to GST regime all the works contract services in respect of irrigation, drinking water, canal, dam and other projects executed for the Government / Governmental authority / Governmental entity are exempted from earlier taxes like Central Excise duty and Service tax since they are meant for public welfare. Many representations have been given for extending the same exemptions even under GST for the above projects executed for the Government / Governmental authority / Governmental entity. However, the notification has only change in the rate from 18% to 12% instead of giving total exemption that too from 22.08.2017. Hence, since the projects executed for genuine cause and public interest the notification can be made as retrospective effect i.e. from 01.07.2017.
2.	Section 50(1)	Every person who is liable to pay tax in accordance with the Provisions of this Act or the rules made thereunder, but fails to pay the net tax or any part (tax is arrived for any particular month after adjusting the input credit of	We understand that the Department is proposing to collect the interest on the total liability the payment of which is delayed beyond the stipulated date without giving credit to the inputs available as on the stipulated date.

Sl. No.	Section / Sub-section / Clause	Amendments marked in underlined portion.	Rationale / Remarks
		that month available against the liability as on the stipulated date of payment) thereof to the Government within the period prescribed, shall for the period for which the tax or any part thereof remains unpaid, pa, on his own, interest at such rate, not exceeding eighteen per cent, as may be notified by the Government on the recommendations of the Council.	
3.	Time of Supply Section -13(2)	<p>The liability to pay tax on services shall arise at the earliest of the following:</p> <p>a) The date of issue of invoice by the supplier, if the invoice is issued within the period prescribed under sub-section (2) of section 31 or the date of receipt of payment, whichever is earlier</p> <p><u>To be amended as date of payment received instead of date of invoice raised which is to be deleted.</u></p>	<p>In most of the Government projects the invoices / RA bills are raised for the work executed in a particular month but the release of the payment for the same RA bill / invoice is delayed due to non-availability of the funds with the client. However, as per section 13(2) the liability of GST arises once the invoice is raised since invoice date is earlier than the payment received date. This is all in respect of works contract executed to the Government / Governmental Authority.</p> <p>Hence, the contractor is liable to pay the GST from his own source which will affect the funds and hamper the progress of work.</p>
4.	Notification No. 1/2018 dated 25.01.2018	<p>"(ix) Composite supply of works contract as defined in clause (119) of section 2 of the Central Goods and Services Tax Act, 2017 provided by a sub-contractor to the main contractor providing services specified in item (iii) or item (vi) above to the Central Government, State Government, Union territory, a local authority, a Governmental Authority or a Government Entity.</p> <p><u>The above notification is w.e.f. 25.01.2018 and the rate applicable is 12%. Notification is to be issued that the date of effect of the above rate should be from 01.07.2017 for all the above said described works..</u></p>	<p>It is to be noted that even in respect of Service tax regime, the works executed by the sub-contractor to the main contractor executed in respect of Government / Government entity / Governmental undertakings in respect of irrigation, drinking water etc. are exempted.</p> <p>Since the same nature of works are being continued, the applicability of GST rate may be made with effect from 01.07.2017 instead of 25.01.2018 even to the sub-contractors.</p>

Also we have represented GST matter to Union Finance Minister, GST Commissioner on October 15th 2018 and 12th December 2018.

Subsequently the 31st GST Council meeting was held in New Delhi on 22nd of December 2018. Some of the issues raised by BAI in the above letter were discussed in the meeting. In the meeting important decisions pertaining to GST return filing pattern and GST rates taken. The meeting also paved way for agenda of the next meeting which was held on 10th January 2019.

Ref. : 733/J/2018-19 dated January 11, 2019

To,
Shri Arun Jaitley
Hon'ble Finance Minister
Government of India,
North Block,
New Delhi – 110 011

Respected Sir,

Sub : Representation for complications faced by Construction sector.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 180 plus Centers (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all around improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

The Government of India has identified infrastructure and construction sector as the key drivers for economic growth of the country and major investment is planned in this sector under the current Government policies. Construction sector also provides major employment opportunities to the citizens of the country.

The changes proposed by us in the GST Act and Rules will substantially increase the ease of doing of business for infrastructure sector in the country and it will also increase compliances across the entire supply chain very effectively.

Sir, we are indeed very thankful to you for considering our request to equalise the concessional rate applicable to contractor and sub-contractor, providing composite supply of works contract services to Government, constitution of Central Advance Ruling Authority and accepting several other changes proposed by our organisation.

Further, we are also very thankful to you for reducing the GST rate on metro and monorail projects. This change has

benefitted many companies working in infrastructure sector. However, composite supplies of works contract service for port and airport could have been included in concessional rate list.

We appreciate the transparency showed by our Honourable Prime Minister, as being open to change GST system, in order to meet the needs of industry. However, in order to ensure that the real estate and construction industry can fetch maximum benefits from GST system, we would like to represent some issues for faced by the construction sector and we request you to do the needful.

1. Time of supply for receipt of mobilization advances

Issue:-

Section 13 of the CGST Act prescribes the time of supply for provision of services. As per the said section, the time of supply in case of services is the date of issuance of invoice or the date of payment, whichever is earlier. Resultantly, the tax liability on mobilization advances is triggered at the time of receipt of mobilization advance.

As per the recommendation made by the GST Council in its 23rd meeting, exemption has been granted for payment of GST on advance received for supply of goods, however, in case of services, the same is still continued and GST is payable on receipt of advances.

In case of long term advances, where mobilization advance is paid to the contractors and the recovery of such advances is done proportionately from the invoices raised during project life cycle, this provision results in blockage of working capital.

Let's see an example:-

A PSU who is into the business of execution of works contracts and operating on Project Management

Consultancy (herein after referred as PMC) basis. All the works are sub-contracted by PSU to various contractors. Details of advances paid and advances received are as below:-

Sr. No.	Particulars	Amount (Rs. In Crores)	Time of supply
1	Advance received by PSU	500	Date of receipt of advance
2	Advance paid to sub-contractor	450	Date of receipt of advance
3	Monies left with PSU	50	-

The PSU will have to pay GST on the date of receipt of advances and it will have to pay GST through cash as it may not have enough credit balance during the initial phase of the project. Later on when it will have enough credits from sub-contractor's billing, the output liability on invoices issued by the PSU will be reduced by the amount of mobilization advance on which GST is already discharged.

Therefore, the PSU will suffer in two ways viz. initial huge cash outflow will hamper the working capital and afterwards excess unutilized credit will block the working capital.

In the nature of short term Loan:-

Further, the provision of mobilization advance principally does not contain any amount paid towards supply of goods or services. The intent of supplier behind seeking mobilization advance is to arrange funds for financing the project. The cost of construction projects, the risks involved and the initial investment drives the amount of mobilization advance sought by the contractor. We agree to the fact that receipt of monies is extremely relevant milestone for Government treasury to establish the time of supply.

However, due to the special characteristics of mobilization advances, they should not suffer tax at the time of receipt of such advance. If tax continued to be levied on mobilization advances then, substantially it will amount to levy of indirect tax on capital investment which would never be the intent of legislature.

Due to tax on mobilization advances, the contractors will device means and ways to change the form of advances with an intent to postpone tax which may act as leakage of revenue for the Government. Therefore, time of supply at the time of adjustment of such advances would prevent the contractors to take any other route.

Suggestion:-

Alternative 1:- We request you to exempt service providers from the liability of paying tax on receipt of advances. Your concern of services being intangible in nature and taxpayers may avoid payment of GST by not raising the invoices may be addressed in any other suitable way. Say by laying down a timeline of 18-24 months within which the invoices should be raised in case of such

advances.

Alternative 2:- We request you to issue a clarification that time of supply for long term advances will be the date of issuance of invoice and its adjustment against the advance. The Long term advances may be defined to mean advances where the recovery takes more than a year.

1. Time of supply on receipt of payment:

Issue:-

Sir, we would like to bring to your kind attention that the method of passing of invoices in case of contracts executed for Government is as follows :-

- Submission of RA bill (Running Account Bill) to the Government.
- Acceptance of RA bill by the Government with suitable amendments on their part.
- Issuance of invoice as per RA bill accepted as per (b) above.

The Government departments take more than 6 months for discharging consideration for invoices issued as per c) above.

As per Section 13, GST is applicable at the time of issuance of invoice. However, in case of Government contracts, the gap between payment of consideration and issuance of invoice may be more than 6 months. In this case, the contractor has to pay GST at the rate of 12% from his own pocket.

In construction sector, the stake involved is high and therefore, GST at the rate of 12% of contract value is a huge sum which adversely impact the working capital available with the contractor.

Suggestion:

Kindly exempt infrastructure sector from payment of GST at the time of issuance of invoice.

2. Loss of ITC because of non-compliance by vendors and sub-contractors

Issue:-

As per section 42 of GST Act, 2017, ITC can be availed

only if the vendors have filled their returns and shown the taxable supply in their GSTR 1. However, if the vendor has failed to ensure this compliance then, the ITC is required to be reversed. The relevant provision from GST law is as mentioned hereunder:-

“Section 42(3)- Where the input tax credit claimed by a recipient in respect of an inward supply is in excess of the tax declared by the supplier for the same supply or the outward supply is not declared by the supplier in his valid returns, the discrepancy shall be communicated to both such persons in such manner as may be prescribed.

Section 42(5)- The amount in respect of which any discrepancy is communicated under sub-section (3) and which is not rectified by the supplier in his valid return for the month in which discrepancy is communicated shall be added to the output tax liability of the recipient, in such manner as may be prescribed, in his return for the month succeeding the month in which the discrepancy is communicated”

Provisions which penalise recipient for the non-compliance by suppliers hinders the ease of doing of business. If a compliant taxpayer adheres to all the provisions then, he should not be penalised for the default of his vendors.

Suggestion:

Once the recipient has discharged the tax on procurement of goods or services, he should be allowed to avail ITC and his claim for ITC should not depend on compliance by his vendors. Therefore, sir we request you to remove the requirement of credit reversal on account of non-compliance by the vendors and sub-contractors.

3. Reversal of ITC if consideration is not paid within 180 days:

Issue:-

As per second proviso to section 16(2) of GST Act, 2017, if the recipient has not discharged his consideration to vendor then, ITC of tax charged by vendor has to be reversed within a period of 180 days from the date of invoice. ITC availed shall be added to the output liability of the vendor along with interest. The relevant proviso is as reproduced below:-

“Provided further that where a recipient fails to pay to the supplier of goods or services or both, other than the supplies on which tax is payable on reverse charge basis, the amount towards the value of supply along with tax payable thereon within a period of one hundred and eighty days from the date of issue of invoice by the supplier, an amount equal to the input tax credit availed by the recipient shall be added to his output tax liability, along with interest thereon, in such manner as

may be prescribed.

Provided also that the recipient shall be entitled to avail of the credit of input tax on payment made by him of the amount towards the value of supply of goods or services or both along with tax payable thereon.”

The ITC reversed can be reclaimed on payment to vendor. This provision gives rise to the following issues:

- a) The above restriction is forcing the businesses to make payment to their vendors within 180 days when the credit period agreed between supplier and recipient is more than 180 days.
- b) In case of long term contracts, some specified amount of invoice value is retained by the recipient and paid at the time of successful completion of contract. The said retained money is termed as “retention money”. Retention monies are invoiced during the contract life cycle however, the same are paid at the time of completion of contract. The gap between invoicing and payment for retentions is more than 180 days. There are chances that department may disallow the credit of taxes paid on retention monies on the ground that the same are not paid within 180 days.

In order to ensure ease of doing business, the Government should clarify the clear intention and exclusions from law. Hence, retention should be clarified to constitute a separate transaction where payment after 180 days does not tantamount to **failure to pay** and there should be no requirement of reversal of ITC on such portion.

Suggestion:

Amendment to section is required in such a way that, wherever the credit period as per contractual terms is more than 180 days, time limit for reversing the credit as per the above section shall be in line with the credit period.

4. Deduction of TDS under Section 51

Issue: -

TDS at the rate of 2% is required to be deducted from payments made to contractors by Government employers. The credit of TDS deducted will be available to the contractors in their electronic credit ledger.

Most of the works contract services provided to the Government is taxed at the rate of 12%. GST on inputs may range from 5% to 28%. In this scenario, the credit available is more than the output tax liability.

Therefore, the Government contractors will have excess unutilized input tax credits and by deduction of TDS, contractors will also have credit balance in their electronic cash ledger. This will lead to blockage of working capital.

For example: - Mr. A has received a contract from a Government body which is taxable at 12% and his sub-contractor raises invoice with GST at 18%. The details of the contract are:-

Particulars	Value (in Crores)	Rate	GST Output/(Input)
Construction of road	1000	12% (Notification 11/2017 dated 28.06.2017)	120
Procurement of goods	500	18%	(90)
Procurement of services	200	18%	(36)
Amount of TDS deducted	1000	2% (Section 51)	(20)
GST Payable/(Credit available in cash and credit ledger)	-	-	-26

Mr. A has excess unutilized credit and in addition, if the Government body deducts TDS on amount paid to Mr. A. As a result, the amount of excess TDS deducted and excess unutilized credit cannot be utilised by Mr. A for any other purpose.

In earlier regime also VAT had a concept of TDS deduction. However, in that regime, similar to practices prevailing under Income Tax Act, in cases where if contractor is of the view that he will have excess ITC and cash payment for tax liability will not arise, No Deduction Certificates were prescribed. Upon furnishing of such certificates, the Deductor was not under an obligation for deducting tax.

Blockage of money and monetary loss to assessee due to tax laws increases the tendency of tax evasion by the industry. If the tax laws are assessee friendly then, the Revenue department may not do additional exercises to plug the revenue leakages.

Further, the Deductors are also taking a lot of time in filling their TDS returns at regular intervals and hence there is a significant delay in getting the amount credited in the electronic cash ledger of the Deductees.

Suggestion:-

We humbly request that the Government should come up with a "No Deduction Certificate" for such cases and in cases where there is a non-compliance on the part of Deductors, kindly provide a clarification giving an interim arrangement of taking provisional credit for tax deductions.

1. Suitable clarification for non-deduction of adhoc amount under the name of GST:

Issue:-

In addition to the TDS deducted on account of payments made for civil construction contracts awarded by Public Works Department (PWD), City and Industrial Development Corporation (CIDCO)

etc., these departments are deducting adhoc amount of 3% from the date of rollout of Goods & Service Tax, on the amount of payment made, under the name of GST.

These deductions are not as per the legal provisions of the Goods & Service Tax Act. The same are even continued after coming into force of TDS provisions under Goods & Service Tax.

The excess unwarranted deduction will result into the increased cost & blockage of funds would render fallout in the construction industry.

Therefore, suitable clarification is needed to be issued for non-deduction of adhoc amount under the name of GST.

Suggestion:

Therefore, we humbly request your good self to take necessary action in the interest of smooth functioning of the construction industry into the GST regime.

2. Reduction in GST Rate on cement

Issue:-

Cement is one of the primary raw material used in construction sector. At present, cement is taxed at 28 per cent and most of the other items used in construction are taxed at 18 per-cent. The output tax rate in construction sector ranges from 8% to 18% depending on the nature of works executed by the contractor. Resultantly, the GST rate on inputs used is higher than the GST rate on output supply. This creates a situation of inverted rate structure.

Refund of unutilised input tax credit on account of inverted rate structure is allowed to contractors under Section 54 of GST Act however, the procedure for claiming refund is time taking and it results in working capital blockage.

A reduced GST rate on cement will also bring down the tax cost for private sector and for Government.

Government being the biggest recipient of services rendered by infrastructure sector, the Government will reap most benefits from this change.

Reduction in the cost would also boost spending on infrastructure sector. Increase in infrastructure development in the country would also help the Government in creating more jobs and boost the economy. Not only this, a reduction in tax rate on cement will also reduce the tax cost in real-estate sector for homebuyers.

Suggestion:-

Sir, we request you to kindly review the tax rate on cement and reduce it to 12%.

3. GST exemption for construction of single residential house for works contract services

Issue:-

Pure labour contracts for construction of a single residential house are exempted from GST as per Entry No. 11 of Notification No. 12/2017 dated 28.06.2017.

However, majority of procurements are done by way of contracts which are normally in the nature of works contract (contract which includes labour and material).

As mentioned earlier, the exemption is only extended to pure labour contracts. In order to ensure that the intent of Government in providing the exemption to single residential house is satisfied, the exemption should also be extended to works contracts executed for single residential house.

Presently, works contract for construction of single residential house is taxed at 12%. For ensuring that the Government's vision to provide houses to all sections of society by 2020 is satisfied, works contracts entered into for single residential houses should also be exempted.

Suggestion:-

Kindly exempt works contracts in relation to construction of single residential houses.

We shall be pleased to furnish any further information, which your good self may require in this regard.

It would be our honour to visit your office on any day and time convenient to you to explain more on the matter.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
PRESIDENT

BUILDERS' ASSOCIATION OF INDIA

CC :

- 1) Shri Upendra Gupta, Commissioner GST, Policy Cell, Goods & Service Tax, Central Board of Excise & Customs, Department of Revenue, Ministry of Finance, Government of India.
- 2) Shri Ajay Bhushan Pandey, Revenue Secretary, Ministry of Finance, Department of Revenue.

Cement Matter

Brief Summary of Cement Cartel Case

Builders Association of India (BAI) filed a complaint with the **Monopoly & Restrictive Trade Practice Commission (MRTPC Commission)** in February 2006 with regard to involvement of cement manufacturers in unfair trade practices / cartelization and requested the Commission to investigate the matter. Later on Commission sought some more information in support of complaint which were made available to them in November 2006. MRTPC registered the complaint vide case **RTPE-52/2006**. Consequent upon coming into existence **Competition Commission of India (CCI)** in the year 2009, the case was transferred to CCI.

In July 2010, BAI filed another complaint with the CCI alleging unfair trade practices being adopted by the Cement manufacturing companies in jacking up artificially the price of cement. CCI registered the complaint as **Case No.29/2010** and investigated the matter. The Director General (Investigation) investigated the matter and submitted his report to CCI. CCI forwarded the investigation report to the respective companies and directed them to file their replies / objections with the findings of the DG(I). The case was heard by CCI on 21st, 22nd & 23rd February 2012. CCI passed the order dated 20th June 2012, declaring 10 cement companies along with Cement Manufacturers Association indulging into unfair trade practices and ordered to deposit **Rs.6307.32 Crore**, as penalty within 90 days from the date of the order and directed companies to **“Cease and Desist”** from indulging in such activities in future

CCI by its order dated 30th July 2012, in the case of **RPTE-52/2006**, found 12 cement companies to be indulging into unfair trade practice. Since penalties were already imposed on 11 companies including CMA other than Shree Cement Ltd. in Complaint No.29/2010, a penalty of **Rs.397.51 Crore** was levied on **Shree Cement Ltd.** with **“Cease & Desist”** order for not indulging in such practice, in future.

All the cement companies, aggrieved with the orders of CCI, approached to Competition Appellate Tribunal to seek a stay on deposit of the penalty amount and for setting aside the orders of **“Cease & Desist”** in June / July 2012.

On 17th May 2013, the Competition Appellate Tribunal passed the interim order of depositing 10% of the penalty amount imposed by the Commission (relevant portion of the order is given below)

“In that view, we find that there is a prima-facie case for granting of stay at least in respect of the penalties, which are of very substantial nature. The total penalties would come in the range of Rs.6000 crores. While inflicting the penalties, the CCI has also taken into consideration, not only the 10% turnover, gross-turnover and other factors,

it has also taken into consideration the net profits earned by these appellants, which are to say the least fabulous. The Commission has chosen to impose the penalty at 0.5 times of the net profit for 2009-10 that too from 20th of May, 2009. It is pointed out by the Commission that the amount of 3 times of net profit calculated, is higher than 10% of the average turnover. In that view, the Commission has inflicted the penalties of 0.5 times of the net profit for one year that is from 2009 to 2010 that too taking from 20th May, 2009 and 2010-11. Under such circumstances, we would chose to grant stay to the penalties, however with a condition that the appellants deposit 10% of the penalties inflicted. We make it clear that the deposit of the penalty should be within one month from today. We also make it clear that if the penalties are not so deposited, the appeal shall be treated as dismissed without further reference to the Court.

Thereafter, all the cement companies approached the Supreme Court of India for seeking stay on the orders of the Tribunal dated 17th May 2013 to deposit 10% of penalty amount imposed by the Commission, The matter was heard in detail on 12th June 2013 but the Hon'ble Court refused to intervene in to the interim orders but extended the last date of deposit of the penalty amount from 16th June 2013 to 24th June 2013 with the directions that the amount of penalty may be kept in the form of Fixed Deposits in the separate accounts of the each company

The matter was argued in detail on the technicalities, in the Tribunal in October / November 2015 and the Tribunal in its order dated 11th December 2015, allowed the appeals and remanded the orders of the Commission for passing fresh orders. The relevant portion of the orders are reproduced below :-

98. In the result, the appeals are allowed. The impugned order is set aside and the matter is remitted to the Commission for fresh adjudication of the issues relating to alleged violation of Sections 3(3)(a) and 3(3)(b) read with Section 3(1) of the Act by the appellants. The appellant shall be entitled to withdraw the amount deposited by them in compliance of the interim order passed by the Tribunal.

99. The Commission shall hear the advocates/ representatives of the appellants and BAI and pass fresh order in accordance with law. We hope and trust that the Commission shall pass fresh order as early as possible but within a period of three months from the date, which may be notified after receipt of this order.

100. The parties shall be free to advance all legally permissible arguments. They may rely upon the documents, which formed part of the record of the Jt. DG or which may have been filed by them before the commencement of hearing on 21.02.2012. The parties shall

also be free to press the applications already filed before the Commission. However, no application, which may be filed hereinafter for cross-examination of the persons, whose statements were recorded by the Jt. DG or for any other purpose shall be entertained by the Commission.

The CCI, in its meeting held on 17th December 2015, discussed the orders passed by the Tribunal on 11.12.2015 and in accordance with the directions contained at Para No.99, listed the matter for final hearings from 19th Jan to 21st Jan 2016, as conveyed vide CCI Letter No.1(29)/2010Sectt & 1/RTPENo.52)/2006/Sectt dated 11.01.2016. Since the arguments could not be completed in three days as scheduled, CCI allowed the arguments to continue on 22nd January 2016 which was kept reserved day for continuing the arguments in case the arguments are not completed in 3 days.

The Competition Commission of India passed fresh orders on **31.08.2016 and found cement companies of guilty of acting in concert and involved in the cartel.** The Commission kept the amount of penalty, same for all the companies, as imposed on them in its earlier order in the year 2012 and directed them to deposit the penalty amount within 60 days from the date of order.

The Cement companies started filing appeal in **Competition Appellate Tribunal** against the order of CCI dated 31.08.2016. The Tribunal directed all the cement companies to deposit 10% of amount of penalty imposed by the CCI before their appeals are taken up for consideration. Accordingly, the cement companies deposited the 10% of the amount of penalty amount as reflected in the orders of the CCI.

Arguments started in the Tribunal from 8th March 2017. As agreed by all the cement companies except M/s. Shree Cement Ltd., the issue of Ambuja Cements Limited in Appeal No.61/2016 will be treated as lead case and other companies will be argue the matter before the Tribunal, if required, only on specific point which have not been covered in the arguments made by the counsel of M/s. Ambuja Cement Ltd.

M/s. Shree Cement Ltd. argue the matter separately.

The matter was again listed for hearing on 11th, 12th & 13th April 2017. When the proceedings in the Tribunal begin, Shri T. Srinivasa Murthy, learned counsel for M/s. Ramco Cements Limited (Appeal Nos. 54 and 64 of 2016) informed the Tribunal that in Civil Appeal Nos. 4300-4301 of 2017, the Hon'ble Supreme Court has stayed further proceedings till the next date of hearing i.e. 2nd May, 2017.

Since the appeal came out of the case which was part of the bunch matters filed against the impugned order dated 31.08.2016 of the Competition Commission of India, the Tribunal consider it appropriate that all the cases led by Ambuja Cement Limited were adjourned for 4th May, 2017 for further directions.

Government of India closed Competition Appellate Tribunal and all the matters pending for decisions in the Competition Appellate Tribunal were transferred to **National Company Law Appellate Tribunal (NCLAT).**

Bunch of cement appeals that were being heard in the Competition Appellate Tribunal came up for hearing in the NCLAT on 12th July 2017. Due to paucity of time the appeals could not be heard by the Hon'ble NCLAT and the appeals were fixed for final arguments on **3rd, 4th & 5th August 2017**, at the request of the Senior Counsels.

It was pleaded before bench that the leading case in the matter will be of Ambuja Cement Limited and other companies will plead / make their submissions before the bench where there is difference and / or company specific matter. **Mr. C.A. Sundaram**, learned Senior Counsel appearing on behalf of **Ambuja Cement Limited** argued the matter on 3rd August, 4th August & 8th August 2017 and concluded his arguments on 8th August. Counsels appearing on behalf of other companies argued the matter on 9th & 10th August 2017. All the appellants completed their arguments / submissions on 10th August 2017.

Shri Salman Khurshid, Senior Advocate assisted by Shri Vaibhav Gaggar and others, appearing on behalf of **Competition Competition of India**, argued the matter on 23rd August, 24th August and 31st August 2017 (on 3 days) and also replied to the objections / queries raised by the counsels of cement companies & CMA. He completed his arguments on 31st August 2017.

Shri C.A. Sundaram on behalf of Ambuja Cement Ltd. Learned counsel appearing on behalf of the other appellants further argued the matter on 19th September 2017 and 5th October 2017. The Tribunal was going to reserve the judgment on 5th October 2017 itself but Shri Vaibhav Gaggar appearing for CCI requested for 10 minutes time on next hearing for Shri Salman Khurshid for which the Chairman agreed and matter was posted for 11th October 2017 with the directions that Parties may file their respective written submissions by the next date.

On 11th October 2017 Shri Salman Khurshid did argued the matter for a brief time. Some of the Appellants filed their written submissions by 11th October 2017 which were kept on record. Tribunal further noted that hearing has already been concluded and reserved the judgment. Chairperson further ordered that Learned counsel for the Respondents, if so choose may file short written submissions by 16th October, 2017 of not more than three pages.

Finally the NCLAT have pronounced the order on 25th July 2018. The Tribunal Bench comprising of Justice **S.J. Mukhopadhyaya - Chairperson and Mr. Balvinder Singh - Member (Technical)** have found the cement companies guilty of cartelization and upheld the amount of penalty. Last two paras of the orders about of the penalty and merit of the appeals are reproduced :-

109. **So far as the quantum of penalty order is concerned, as we find that the Commission has imposed mere minimum penalty, no interference is called for against the same.**

110. **We find no merit in these appeals. They are accordingly dismissed. All Interlocutory Applications filed in these appeals stand disposed of. No costs.**

All the affected Cement Manufacturers by the Order of National Company Law Appellate Tribunal (NCLAT), on 25th July 2018, imposing penalty of Rs.6,307 Crore, have now filed their Appeal before the Hon'ble Supreme Court of India and matter is pending before the Hon'ble Supreme court of India.

Builders' Association of India being the original complainant, who filed the complaint in the MRTP in the year 2006 and in Competition Commission of India in the year 2010 will be required to defend the case in the Supreme Court of India alongwith the CCI. After meeting all the procedural requirements and filing of the appeals / counters, the matter will be listed for hearing / arguments etc. shortly.

It is needless to state here that because of BAI been fighting the issue of malpractice / unfair trade practices in hiking the price of cement and the companies indulging in cartelization for more than two decades and following it at the appropriate level, the cement companies are playing at the back-foot with regard to price increase. The situation is under a bit control because of the efforts of this august body of the fellow contractors fraternity only.

Appeals filed by the Cement Company's are listed for hearing before the Supreme Court (Court No. 8, Justice Nariman and Justice Indu Malhotra as item 27) on 28th

Septmebr 2018 for admission. The matter was admitted on 5th October 2018 by Mr. Justice R. F. Nariman and Mr. Justice Navin Sinha with 10% deposit of Penalty with Hon'ble Supreme Court.

For benefit our members, we give below proceedings on 5th October 2018 held at Hon'ble Supreme Court.

Appeals filed by all cement companies against NCLAT's order were listed before the Court No. 8 for hearing on 5 October 2018. The appeals were tagged and were listed at item 16. India Cements appeal was listed as lead matter and as soon as item 16 was called Mr. Kapil Sibal (Senior Advocate) appeared for India Cements. Competition Commission of India (CCI) was also represented by Mr. Salman Khurshid (Senior Advocate). Mr. Sibal started his arguments by saying that the CCI has not taken into consideration various parameters under section 19(4) of the Competition Act and CCI has not divided the markets appropriately. Mr. Justice Nariman, immediately said therefore we are required to admit the matter, so that we can hear you in detail. He also made a passing remark that there are two adverse orders against you (cement companies). He then enquired, was any interim relief granted to cement companies by the Appellate Court? Mr. Sibal mentioned that a stay was granted by the NCLAT/COMPAT by depositing 10% penalty amount through FDR. Mr. Justice Nariman granted cement companies an interim stay on the same terms as granted by NCLAT earlier. At this stage, Mr. Salman Khurshid (Senior Advocate for CCI) mentioned that he has no problem in the stay being granted (in a statutory appeal) – however, let the cement companies deposit the entire amount of penalty (as in DLF case earlier). Mr. Justice Nariman asked CCI to file an application for seeking deposit of entire penalty amount – enumerating the principles adopted by Hon'ble Supreme Court in DLF matter. Mr. Justice Nariman stated that he will look at the application and then decide on deposit of the penalty amount.

The matter was came up for hearing on 7th Decemebr 2018 and adjourned to 14th February 2019.

On 14th February 2019 the Register Court has passed the following order.

ITEM NO.45

REGISTRAR COURT. 1

SECTION XVII

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS
BEFORE THE REGISTRAR ANIL LAXMAN PANSARE
Civil Appeal No(s). 9410-9411/2018
THE INDIA CEMENTS LTD. Appellant(s)
VERSUS
COMPETITION COMMISSION OF INDIA & ORS. Respondent(s)

WITH
C.A. No. 9744/2018 (XVII)
(FOR ADMISSION and IA No.136086/2018-STAY APPLICATION)

C.A. No. 9534-9535/2018 (XVII)
(FOR ADMISSION and IA No.133083/2018-EX-PARTE STAY and IA No.133084/2018-PERMISSION TO FILE ADDITIONAL DOCUMENTS/FACTS)

C.A. No. 9734-9735/2018 (XVII)
(IA No.136013/2018-EXEMPTION FROM FILING C/C
OF THE IMPUGNED JUDGMENT and IA No.136014/
2018-STAY APPLICATION)

C.A. No. 9538-9539/2018 (XVII)
(FOR ADMISSION and IA No.133516/2018-EX-PARTE
STAY and IA No.133520/2018-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS and IA
No.135688/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS)

C.A. No. 9555-9556/2018 (XVII)
(FOR ADMISSION and IA No.134434/2018-EX-PARTE
STAY and IA
No.134433/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.134979/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS)

C.A. No. 9851/2018 (XVII)
(FOR ADMISSION and I.R. and IA No.137930/2018-
EXEMPTION FROM FILING
C/C OF THE IMPUGNED JUDGMENT and IA
No.137928/2018-STAY
APPLICATION)

C.A. No. 9864/2018 (XVII)
(FOR ADMISSION and IA No.138179/2018-EX-PARTE
STAY and IA

No.139701/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139703/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139705/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.138180/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139712/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139678/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139716/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139684/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139720/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139688/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139734/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS and IA
No.139698/2018-PERMISSION TO FILE ADDITIONAL
DOCUMENTS/FACTS)

C.A. No. 9763/2018 (XVII)
(FOR ADMISSION and IA No.136411/2018-GRANT OF
INTERIM RELIEF)

C.A. No. 9826/2018 (XVII)
(FOR ADMISSION)

C.A. No. 9882-9883/2018 (XVII)
(FOR ADMISSION and IA No.138895/2018-EX-PARTE
STAY and IA No.140567/2018-PERMISSION TO FILE
ADDITIONAL DOCUMENTS/FACTS [TO BE TAKEN
UP ALONGWITH ITEM NO. 16 I.E. C.A.NO.9410-9411/
2018])

C.A. No. 1281-1282/2019 (XVII)
(FOR ADMISSION and I.R. and IA No.183973/2018 -
EXEMPTION FROM FILING C/C OF THE IMPUGNED
JUDGMENT and IA No.183972/2018-STAY
APPLICATION and IA No.183969/2018-
CONDONATION OF DELAY IN FILING APPEAL and
IA No.183971/2018-CONDONATION OF DELAY IN
REFILING)

Date : 14-02-2019 These appeals were called on for
hearing today.

For Appellant(s)

Mr. Aayush Agarwala, Adv.
Mr. Pramod B. Agarwala, AOR
Ms. Neha Agarwal, Adv.
Mr. Gautam Chawla, Adv.
Mr. E. C. Agrawala, AOR
Mr. Shrey Patnaik, Adv.
Mr. Aditya Verma, AOR
Mr. Venkita Subramoniam T.r, AOR
Ms. Shruti Iyer, Adv.
Mr. T. Srinivasa Murthy, Adv.
Mr. Senthil Jagadeesan, AOR
Ms. Tanya Chaudhry, Adv.
M/S. Parekh & Co., AOR
Ms. Jannavi Sindhu, Adv.
Ms. Shruti Narayan, Adv.
Mr. Shadan Farasat, AOR
Mr. Praveen Kumar, AOR
Mr. Abhinav Raghuvanshi, Adv.
Mr. Prateek Tewari, Adv.
Mr. Piyush Upadhyay, Adv.
Mr. D. K. Devesh, AOR
Mr. Chandramauli Dwivedi, Adv.
Mr. Abhay Kumar, AOR

For Respondent(s)

Mr. M.P. Srivignesh, Adv.
Mr. B. Mathews, Adv.
Ms. Sarah Shaji, Adv.
Mr. Raju John, Adv.
Mr. Shaji Sebastian, Adv.
Mr. Jose Abraham, AOR
Mr. Tushar Singh, AOR

UPON hearing the counsel the Court made the
following

ORDER

Spare copies have not been in respect of the unserved respondents. Ld. Counsel for the petitioner requested for two weeks' time for filing spare copies in all the matters. Strictly last opportunity is granted for filing spare copies within two weeks, as prayed for. Ld. Counsel for the petitioner to take fresh steps for service of the unserved respondents in all the matters mentioned in the office report within two weeks. Ld. Counsels appearing for the served respondents for the first time are granted four weeks' time for filing counter affidavit. Ld. Counsels who are already appearing for the served respondents are

granted four weeks' time, as last opportunity, for filing counter affidavit. List again on 9.4.2019.

ANIL LAXMAN PANSARE
Registrar

On 14th March 2019, BAI have filled Counter Affidavit before the Hon'ble Supreme Court of India.

The matter has then adjourned on to 9th April 2019 and now it is adjourned to 19th August 2019.

BAI's representation with Government on Cement Matter.

Members from BAI Kerala and Tamil Nadu States have informed our President about the sudden increase of cement price, without any corresponding increase in demand or input cost of cement. Members also informed

about the stagnant growth of Construction Industry in the States last 2-3 years, due to the economic slowdown and various other reasons.

BAI President have also immediately sent letters to the Hon'ble Prime Minister, Hon'ble Finance Minister, Hon'ble Urban Development Minister, Hon'ble Minister of Commerce & Industry, Hon'ble Minister of Road Transport, Highways & Shipping, marking copy to the Secretaries of the concerned Departments which is produced as follows.

Ref: 792/F/2018-19 dated February 8, 2019

Shri Narendra Modiji
Hon'ble Prime Minister of India
Government of India
Prime Minister's Office,
South Block,
NEW DELHI – 110 001

Respected Sir,

Sub: Abnormal increase of cement price due to the cartelisation by Cement Manufacturers.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Builders, founded in 1941, it has more than 18,000 business entities as members through its 180 plus Centres (Branches) throughout the country. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the Construction Industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Cement is one of the major construction materials used in all segments of Construction Industry namely, Housing (55% - 65%), Infrastructure (15% - 25%), Commercial and Industrial Construction (10% - 15%), and Industry (5% -

15%). There is no consumer other than Construction Industry for cement.

For the past 2 - 3 years, the growth of Construction Industry is ranging between 1% - 2%, which means that additional demand of cement from Construction Industry is nominal.

Sir, however, through this letter, we would like to draw your kind attention that, Cement Manufacturers in the Southern part of India have increased the cement price approximately by 25% to 30% per bag from the existing price without any corresponding increase either in demand or in input costs. Sir, the Construction Industry feel this cement price increase is the result of pre-arranged price fixing by Cement Manufacturers with profiteering purpose.

Sir, we would like to bring to your kind notice that, in the past, Cement Manufacturers were found engaged in cartel type of arrangement for jacking up the price and the following decisions of Monopolies & Restrictive Trade Practices (MRTP) Commission and Hon'ble Competition Commission of India (CCI) will prove our points.

- a) In Enquiry No.RTPE 99/1990 on 28th November 2006, Monopolies and Restrictive Trade Practices Commission directed Cement companies with 'cease and desist order'. The Hon'ble M.R.T.P. Commission again in Enquiry No.RTPE 21/2001 decreed on 29th February 2008 observed that, "Cement companies are guilty of forming cartel and issued to cease and desist order. The M.R.T.P. Commission also directed them to file the Affidavit with effect that, they won't do cartelization again". Builders' Association of India filed an application in the MRTP Commission in the year 2006, alledging the cartelization by cement companies which was registered vide No.RTPE 52/2006. Consequent upon closure of the MRTP Commission, the case was transferred to Competition Commission of India (CCI). The matter was investigated by the Director General – Investigation and CCI found Shree Cement Ltd., on the basis of matter investigated under case No.RTPE-52/2006 guilty and the Competition Commission of India imposed a panalty of Rs.397.51 Crores as well as served 'cease' and 'desist'notice against Shree Cement Ltd. vide its order dated 30th July 2012.
- b) On 20th June 2012, the Hon'ble Competition Commission of India in case No.29/2010 filed by BAI, conclusively found the existence of cartel arrangement amongst the Cement Manufacturers resulting the manipulation of sale price of cement, and imposed a penalty of Rs.6,307.32 Crore on 10 Cement Manufacturers plus Cement Manufacturers Association (CMA) and also issued 'cease and desist order'. Against this order, the Cement Manufacturers have appealed before the Hon'ble NCALT and NCALT in its Order dated 25th July 2018 confirmed penalty. Against the NCALT Order, the Cement Manufacturers have filed appeal before

the Hon'ble Supreme Court of India on 5th October 2018. The matter is admitted and pending.

Sir, inspite of the finding by both M.R.T.P. Court and Hon'ble Competition Commission of India about the cartel type arrangement engaged by Cement Manufacturers, they have not restrained themselves from continuing with the practice and still continue to exploit the hapless consumers of cement,as and when they wish..

Sir, any increase of cement price will have consequential effect on the cost of housing and also will affect the infrastructure projects adversely, causing huge negative impact on the national economy. It would also render a large number of construction workers unemployed as the construction industry has no other way but to slow down or to shut down the projects. Sir, this scenario will create chaos in the whole country, resulting the good work done by the Central Government to naught.

Sir, we therefore, request you to kindly look into the matter and if satisfied, may kindly appoint a high level enquiry on the reasons of abnormal cement price increase when there is neither any corresponding demand from the Construction Industry nor any substantial rise in input cost, with a view to have a long term solution to the unethical practice being followed by Cement Manufacturers. Your immediate action in the matter will not only save the employment of around 50 million construction workers, but also save the construction sector, which includes affordable housing, from imminent shutdown.

Thanking you,

Yours faithfully,



A. PUAZHENDI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

List of Officials

The Hon'ble Minister of Commerce & Industry
Room No. 45, Udyog Bhawan,
Rafi Marg, New Delhi-110001

The Secretary to the Government of India
Department of Industrial Policy & Promotion
Ministry of Commerce & Industry,
Udyog Bhawan, Rafi Marg,
New Delhi -110001

The Hon'ble Minister of Finance
Government of India

Room No. 134, North Block,
New Delhi-110001.

Shri Subhash C Garg
Secretary to the Government of India,
Ministry of Finance, Department of Economic Affairs
Room No. 130, North Block,
New Delhi-110001

Shri Shri Ajay Bhushan Pandey
Secretary to the Government of India,
Ministry of Finance,

Department of Revenue,
Room No. 128 –A, North Block,
New Delhi-110001.

Shri Hardeep Singh Puri
Hon'ble Minister for Housing & Urban Affairs,
Room No. 104, C- Wing,
Nirman Bhawan, Maulana Azad Road,
New Delhi-110001

Shri Durga Shanker Mishra
Secretary to the Govt of India
Ministry of Housing & Urban Affairs,
Room No. 122 – C Wing,
Nirman Bhawan, Maulana Azad Road,
New Delhi-110001

The Hon'ble Minister for Road Transport Highways
and Shipping,
Government of India,
Room No. 501, Transport Bhawan,
Parliament Street,
New Delhi -110001

Shri Yudhvir Singh Malik
Secretary to the Government of India
Ministry of Road Transport & Highways
Room No. 509, Transport Bhawan,
Parliament Street,
New Delhi -110001

BAI Headquarter also issued a format of '**Press Release**' to all BAI Centres' Chairmen to be released to the media and also advised them to hold Press Conference at their respective places presenting the local cement price for different periods.

PRESS RELEASE ON ABNORMAL CEMENT PRICE INCREASE

1. **Contribution of Construction Industry to the growth of economy.**

Construction is one of the most important economic activity contributing maximum GDP Growth and accounts for more than 50% of total plan outlay. It has forward and backward link with more than 250 allied industries. It employs more than 50 million workers and next only to agriculture in employment. The Planners have rightly understood its importance and thus allotted maximum plan outlay for development of physical infrastructure and construction of houses. To reap the huge demographic advantage of young population of 600 Million by 2030, India needs to create huge housing in cities to accommodate the youngsters. As per the data of '**Census 2011**', only 31% of the total population in India dwells in urban area. In most of the developed countries, this percentage ranges from 60 to 80%. This gives a lot of opportunity for Indian Contractors in developing the cities to accommodate the migrating population expected to be happening in the near future.

2. **Cement consumption by the Construction Industry.**

Housing / Real Estate Industry consumes about 65% to 67% of cement production followed by Infrastructure Sector at 18% to 20%, balance 23% to 27% is consumed by other Industry and retail consumers. Real Estate Industry and other industry engages construction contractors for execution of housing projects or construction of factory buildings. Thus, Construction Industry / Contractors consume almost 80% of cement production. **Contractors by and large works on fixed rate fixed time basis, as**

such bear the brunt of higher cement price.

3. **Habitual Offenders.**

Builders' Association of India (BAI) filed complaint before Monopolies And Restrictive Trade Practices (MRTP) Commission being Case No.RTPE of 2006 against Cement Manufacturers for unfair trade practice. This matter was ultimately transferred to Competition Commission of India (CCI), which by it's order on 30.7.2012, levied a penalty of Rs.397.51 Crore on Shree Cement Ltd. Appeal against this order is pending before Competition Tribunal. Builders' Association of India (BAI) filed another complaint against cement companies and Cement Manufacturers Association being complaint No.29 of 2010. Director General (Investigation) of CCI investigated the matter for the period from 9.5.2009 to 31.3.2011. CCI by it's order on 21.6.2012 levied penalty of Rs.6,302.32 Crore on 11 Cement companies and Cement Manufacturers Association. Appeal against CCI's order is pending before Competition Tribunal.

4. **The current cement price scenario in your local area.**

(Members may kindly elaborate the point).

5. **Demand from the construction industry.**

BAI request the Government to appoint '**Cement Regulatory Authority**' to rein in Cement Manufacturers from cartel as it has appointed various Regulatory Authorities:

- (a) Security Exchange Board of India (SEBI) in 1992 for stock markets.

-
- (b) Telcom Regulatory Authority of India (TRAI) in 1997 for Telecom Sector.
 - (c) Insurance Regulatory & Development Authority of India (IRDAI) for Insurance Sector in 1999.
 - (d) Real Estate Regulatory Authority (RERA) in 2016 for Real Estate Sector.

BAI also request the Government to appoint a high

level enquiry on the reasons of abnormal cement price increase when there is neither any corresponding demand from the Construction Industry nor any substantial rise in input cost, with a view to have a long term solution to the unethical practice being followed by Cement Manufacturers. A quick and prompt action by the Government in the matter will not only save the employment of around 50 million construction workers, but also save the construction sector, which includes affordable housing, from imminent shutdown.

Labour Law Matters

(i) ESIC Matter – BAI’s efforts pays off.....

On 31st July 2015, the ESIC Department issued a Circular covering the construction site workers in the provisions of ESIC Act from 1st August 2015. Immediately on this, BAI swung into action by filing Writ Petitions at various High Courts. As of now on ESIC matter, BAI have Stay Orders at the Hon’ble High Courts at Madurai, Hyderabad, Gujarat, Karnataka, Allahabad, Delhi and Rajasthan.

In the meantime, Confederation of Real Estate Developers Association of India (CREDAI) filed a Writ Petition on ESIC before a Double Bench of Goa Bench of Bombay High Court and it was dismissed by the Bench making it compulsory for construction site workers also covered in the ESIC Scheme. As CREDAI did not file a Review Petition on the matter, BAI’s various Stay Orders pending on ESIC matter at different Hon’ble High Courts, were to be vacated by the ESIC Department insistence on following the precedent of the Double Bench decision of Bombay High Court. To avoid this serious situation, on the advice of Senior Advocate, Shri Gopal Jain, BAI filed **Special Leave Petition (SLP) 13351/2018**, as an aggrieved party’ before the Hon’ble Supreme Court. This matter admitted by the Hon’ble Supreme Court of India on 7th

May 2018 and ordered notices to be issued to the Respondents (ESIC Department).

It was a very big day for Builders’ Association of India in the Supreme Court. On 6th July 2018, Supreme Court of India heard the arguments and passed a Stay Order on the orders of the Bombay High Court at Goa dated 14th March 2017 passed in W.P.No.846 of 2016 as well as the Circular dated 31st July 2015 of the Employees State Insurance Corporation until further orders. The stay order of Supreme was a big relief for the contractor fraternity and forced the ESIC to issue Circular No.T.11/13/11/03/2015 Rev.II dated 26.09.2018 to All RDs/Directors/JD Incharge/Regional Office/SROd/DO, on the subject of Extension of ESI Scheme to Construction Site Workers and clarifying the positions to all officials responsible for extension of ESI Scheme **“that no ESI contribution may be collected from the construction site workers and from their employers during the period of stay order by Hon’ble Supreme Court and also no benefits could be extended to such workers during the corresponding benefit period.”**

Copy of the Stay Order issued by the Hon’ble Supreme Court of India and ESIC Circular are given hereunder :

ITEM NO.59 COURT NO.2 SECTION IX

S U P R E M E C O U R T O F I N D I A R E C O R D O F P R O C E E D I N G S

PETITION(S) FOR SPECIAL LEAVE TO APPEAL (C) NO(S). 13351/2018
(ARISING OUT OF IMPUGNED FINAL JUDGMENT AND ORDER DATED 14-03-2017
IN WP NO. 846/2016 PASSED BY THE HIGH COURT OF JUDICATURE AT BOMBAY AT GOA)

BUILDERS ASSOCIATION OF INDIA PETITIONER(S)
VERSUS
THE EMPLOYEES STATE INSURANCE CORPORATION & ORS. RESPONDENT(S)

Date : 06-07-2018 This petition was called on for hearing today.

UPON hearing the counsel the Court made the following

O R D E R

CORAM : HON’BLE MR. JUSTICE RANJAN GOGOI
HON’BLE MR. JUSTICE S. ABDUL NAZEER

For Petitioner(s) Mr. Gopal Jain, Sr. Adv.
Mr. Jose Abraham, AOR
Ms. Prashanti, Adv.
Mr. M.P. Srivignesh, Adv.
Mr. B. Mathews, Adv.
Ms. Neema Noor Mohamed, Adv.

Upon hearing the learned counsels for the parties and taking into account the orders passed by several High Courts in respect of the same subject matter, we are of the view that an interim order would be justified in the facts of the present case. Accordingly, the order of the Bombay High Court at Goa dated 14th March 2017 passed in W.P. No. 846 of 2016 as also the Circular dated 31st July, 2015 of the Employees State Insurance Corporation shall remain stayed until further orders.

For Respondent(s) Mr. Rajeev Shukla, Adv.
Ms. Shivani Kapoor, Adv.
Mr. Lakshay Mangla, Adv.
Mr. Prakash Ranjan Nayak, AOR

[VINOD LAKHINA]

[ASHA SONI]

AR-cum-PS

BRANCH OFF

EMPLOYEES STATE INSURANCE CORPORATION
PANCHDEEP BHAWAN, C.I.G. ROAD
NEW DELHI - 110 002
Ph : (011) 23234092

ESIC...Chinta se Mukti

No.T.11/13/11/03/2015 Rev.H

Dated : 26.09.2018

To,

All RDs/Director/JD Incharge Regional Office/SROs, /DO
Sub: Extension of the EST Scheme to Construction Site Workers-reg.

Sir,

ESIC vide its Order dt.31.07.2015 had issued instructions regarding extension of EST Scheme to construction site workers through which site workers of construction companies were also to be covered under ESI Scheme.

CREDAI and Several Builders filed Writ Petition No.846 of 2016 in the High. Court of Bombay at Goa challenging ESIC order dated 31.07.2015. The Hon'ble High Court dismissed the writ petition of CREDAI and others vide its order dated 14.03.2017

The Builder Association of India challenged the extension of ESI Scheme to construction site workers before Hon'ble Supreme Court of India vide SLP No.13351/2018.

Hon'ble Supreme Court of India vide its order dt.06.07.2018 has ordered that "an interim order would be justified in the facts of the present case. Accordingly, the order of the Bombay High Court at Goa dated 14th March 2017 passed in W.P. No. 846 of 2016 as also the Circular dated 31' July, 2015 of the ESIC shall remain stayed until further orders."

Copy to : Website Manager to upload.

Consequently, references have been received on the following points:

During the stay period whether ESIC contribution may be collected or not in respect of construction site workers.

During this period of nonpayment of contribution if any claim for benefit comes in notice of ESIC for construction site workers whether the same is to be accepted or not.

In view of above, it is clarified that no ESI contribution may be collected from the construction site workers and from their employers during the period of stay order by Hon'ble Supreme Court and also no benefits could be extended to such workers during the corresponding benefit period.

This issues with the approval of the Director General.

Yours faithfully

(Mohit Raja)
Dy. Director (REV.)

BAI Repersentation on ESIC Matter.

Team lead by President-BAI met the Labour Secretary Shri Heeralal Smariya on 25th July 2018 to discuss clubbing of ESIC with Labour Welfare Cess and other labour related issues. The matter of Labour Code on Social Security 2018 for which the ministry invited suggestions / comments

and President requested the ministry to allow the BAI to submit its comments / suggestions by the end of August 2018 for which the Labour Secretary agreed.

Accordingly, Builders' Association of India submitted comments / suggestions on 19th July 2018 which are reproduced below:

Ref: 212/J/2018-19 dated July 19, 2018

Shri Heeralal Samariya

Secretary to the Government of India,
Ministry of Labour & Employment,
Shram Shakti Bhawan, Rafi Marg
NEW DELHI - 110 001

**Sub: BAI's representation on ESI Coverage to Construction Sites
and Benefits under ESI Act Vis A Vis BOCW Act.**

Reg: Proposed Meeting with you on 25th July 2018 at 3.00 P.M.

Respected Sir,

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

First of all BAI takes this opportunity to congratulate you on your elevation to the post of Secretary and taking the charge of the Ministry of Labour & Employment. BAI have been pursuing the matter of implementation of ESIC on construction workers with effect from 1st August 2015, vide ESIC Circular dated 31st July 2015, and explained in details the difficulties in its implementation as has been brought out in our letter No. BAI/DO/03/2017 dated 13th February 2017 (copy enclosed). The ministry have also been very co-operative in the matter and considered the proposal on combining the ESIC and BOCW Act, submitted by BAI vide No.407/D/2015-16 dated 5th

Encl: As above.

Mrs. Satyawati
Hon'ble Union Labour Secretary
Ministry of Labour & Employment,
Shram Shakti Bhawan, Rafi Marg
New Delhi-110001

Respected Madam,

Subject: BAI's representation on ESI Coverage to Construction Sites and Benefits under ESI Act Vis A Vis BOCW Act.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

December 2015. Several rounds of meetings have also been taken place with your predecessor Shri Shankar Aggarwal ji and Madam M Sathiyavathy ji, but we have yet to see any positive response from the Ministry on the subject.

Sir, BAI would like to take up the following agenda for kind consideration:-

1. Clubbing of ESIC with Labour Welfare Cess as both the Acts have identical or overlapping benefits (Details enclosed).
2. To explore possibility of utilising Rs.38,000 Core lying with various Labour Boards for the benefit of construction workers including contributing to ESIC.
3. Any other item with the permission of the Chair.

We are thankful to you for giving us an opportunity to meet you in person and discuss the matter for its positive outcome.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President
Builders' Association of India

Ref: 211/J/2018-19 dated 19th July 2018

part of the construction unit, manufacturing process as defined under Factory act is carried on.

The ESI Corporation vide press release dated 17th July & 23rd July '2015 made a declaration that they intend to cover the construction site under the provisions of ESI Act which was not the case till then in view of the guidelines issued by ESI in 1999. The ESI Corporation also came out with a circular dated 31st July '2015 about the same & in fact to override the notification issue of promulgation, they came out with the plea of interpreting the guidelines issued them in 1999 & stated that [quote from circular point no (1)] **"All the construction agencies which have already been covered u/s 1 (5), their site workers also be covered & other construction agencies which may now come under coverage by adding construction site workers.**

Difficulties in Implementation :-

ESI Act is essentially for organised work force, inspite of the term otherwise in Sec 1(4). Payment of contribution, submission of returns, reporting of accidents, submission of returns, & many other formalities would show that that the scheme is employee centric. Yet the ESIC could not extend the scheme to construction sector because of many practical considerations. That precisely was the reason for so many tripartite talks in decades. Summary of those facts have been recorded in the Annual standard Notes also. Few of the additional points which need to be clarified / discussed with the authorities are cited below as they are in conflict with the circular issued.

- 1) The ESI Act is a statute which is applicable by the appropriate Government on the basis of the Gazette Notification issued for Coverage. In the present case no notification has been issued as yet.
- 2) As the Construction Site is neither a **"FACTORY"** nor **"COMMERCIAL ESTABLISHMENT"**, hence do not come under the definition of ESI Act as the said Act is only applicable on the aforesaid.
- 3) Since the **"ESTABLISHMENT"** Is covered under BOCW Act, then the office of the Construction Site can be termed as establishment only **under BOCW Act which means "Any establishment ————— who employs building workers in any building or other construction works————"**. Such establishments are covered under BOCW Act & not under Shop & Commercial Establishment Act.
- 4) As per the **OBJECTS & REASONS** of the **BOCW Act, 1996** it clearly lays down the **"Application of the Workmen Compensation Act to building & other Construction Workers"**. This being a subsequent legislation for the health, Safety & Welfare benefits pertaining to Building/ Construction Workers the provisions of the said Act would override the provisions of the other Acts wherever there arises a conflict & interpretation.

Thus there cannot be two interpretations of as the legislature thought it fit to cover Building & other Construction Workers under Workmen Compensation Act & not otherwise. Such a beneficial piece of legislation has to be construed in its correct perspective so as to fructify the legislative intention underlying its enactment. The Apex Court has rightly held in number of cases that when two views are possible on its applicability to a given set of employees, that view which furthers the legislative Intention should be preferred to the one which frustrate it.

- 5) **Sec 58 of BOCW Act** also states that **"the provisions of Workmen Compensation Act, 1923 shall apply to building workers as if the employment to which this Act applies had been included in the second schedule to that Act"**.
- 6) **Employees Compensation Act, 1923 Schedule II defines list of employees** who, subject to the provisions of [Section 2(1)(DD)] ARE INCLUDED IN THE DEFINITION OF [EMPLOYEES] that is to say any person — (viii) **"employed in the construction, maintenance, repair or demolition of—**
 - a) Any building which is designed to be or is or has been more than one storey in height above the ground or twelve feet or more from the ground level to the apex of the roof; or
 - b) Any dam or embankment which is twelve feet or more in height from its lowest to its highest point; or
 - c) **Any road, bridge, tunnel or canal; or**
 - d) Any wharf, quay, sea-wall or other marine works including any moorings of ships ;
- 7) The BOCW Welfare Cess Act Lays down the payment for Corpus to be maintained for Welfare Board. Thus when the Building workers are to be covered under ESI ACT THEN WHAT PURPOSE THE Cess remains & for what purpose the welfare Board would be required to collect the money because the workers would be entitled to benefits under ESI Act. Further the question arises that whether the statute passed by an Act of Parliament can be subrogated by issuance of Circular?
- 8) It is also to be noted that whether the practise of registering the Building workers would be continued or there shall be no more Registration under welfare Board. If that be the case then how come the benefits would be passed on by the welfare Board to the Building workers & whether that would not amount to taxing the Employer twice for the same contract?.
- 9) As per Regulation 4 of the ESI Regulations 1950 which provides for Contribution & Benefit period.

The benefits being passed on to the Insured person for the first time would be only after nine months as corresponding Contribution & Benefit period are different. For eg. The Person being registered in the Contribution period for the first time in April can avail the benefits from following January & not before. Similarly for availing sickness benefit the Insured person has to pay minimum contribution for 78 days in a contribution period otherwise the benefit cannot be availed & is foregone.

- 10) Benefits being provided under the Construction Welfare Board are in few cases more than prescribed under ESI Act. For availing the benefits under BOCW Act a nominal amount of contribution (@Rs 25/-pa (presently applicable in Delhi for coverage under Delhi Construction welfare Board) is paid by the Beneficiary for availing the benefits provided by the Construction Welfare Board. The benefits being paid are in few cases for Natural death, self marriage, children marriage etc. (which is not covered under ESI Act) apart from skill development benefits in the form of financial assistance to such beneficiaries.
- 11) As per Regulation 103-B an Insured person shall continue to receive medical benefit for himself & his / her spouse till the date on which he would have vacated the employment on attaining the age of superannuation had he not sustained such disablement if he produces a certificate from the employer. This is not practicable as the employees at the construction site are engaged for the period of contract awarded which is time specific ,hence the Employer cannot provide certificate for such person till the age of superannuation, therefore in the absence of that certificate his claim would be discontinued.

BAI's PROPOSAL :-

At this juncture we should not forget about the view propounded by Prof Adharkar, the visionary who was instrumental in bringing the concept of ESI at the very beginning. Prof. Adharkar has rightly said that when a scheme is proposed it must be workable in the “peculiar circumstances of Indian labour & Industry”. So, if necessary a separate structure may be evolved the way it was done in late nineties for cashew workers in Kerala. The scheme was ultimately discontinued by ESIC. The documents that show why that scheme meant for cashew workers had been dispensed with may also be gone

through, in the present context. Otherwise it will be meeting the same fate as has happened in the Medical college matter where ESIC is hell bent on medical colleges when they know that their financial position would nose dive very seriously in the year 2016-2017 if they continue to run them?.

The proposals being put forth are in tune with the views of the ESIC, as can be evident from the points elaborated below.

- 1) Recommendations of the Conference Committee on social security for Organised, Unorganised & Migrant International Workers held at Vighyan Bhawan Hall no 4 on dated 21.07.2015 contains other recommendations **particularly relating to for Construction Workers ,there should be single Contribution from Employer (Point no XI)**.
- 2) As per the recommendations that ESIC should be expanded at a fast pace & the ESIC should directly run the health services at all the states. Further ESI coverage for round the clock medical benefits. **(Point no VII c,d & f)**.
- 3) The ESIC vide press release dated 7th April '2015 discusses amendment in the ESI Act ,1948 for providing **option** to employees to choose either ESI or Health Insurance product services recognised by IRDA in 165th Meeting of the ESI Corporation held on 7th April '2015. This option will not only provide the facilities to the door steps of the workers but would also help the employers from unnecessary paper documentation as all the workers engaged at the site can avail the facilities from single source. This would also not only be an effective mechanism but would also be rid of the bureaucratic hassles.

The nitty gitty of the scheme may be changed depending upon the discussions with the stakeholders as on one side it will leave the government from day to day monitoring & maintaining a workforce to maintain records while on the other it will also provide leverage to the employers to have a common scheme for all the employees engaged at the site without any worry of the wage ceiling or see if the area is coming in implemented / non implemented area.

Now let us dwell on the benefits prescribed under ESI Act vis a vis BOCW ACT & in brief the details are as under;-

Comparison Statement of ESIC and BOCW ACT

Benefits & Contributory Conditions UNDER ESI ACT:	Benefits & Contributory Conditions UNDER BOCW ACT:
An interesting feature of the ESI Scheme is that the contributions are related to the paying capacity as a fixed percentage of the workers wages, whereas, they are provided social security benefits according to individual	Section 12 (1) of the BOCW Act “ every building worker who has completed eighteen years of age ,but has not completed sixty years of age ,& who has been engaged in any building or other construction work for not less

Benefits & Contributory Conditions UNDER ESI ACT:	Benefits & Contributory Conditions UNDER BOCW ACT:
<p>needs without distinction. Section 46 of the Act envisages following six social security benefits :-</p> <p>(a) Medical Benefit : Full medical care is provided to an Insured person and his family members from the day he enters insurable employment. There is no ceiling on expenditure on the treatment of an Insured Person or his family member. Medical care is also provided to retired and permanently disabled insured persons and their spouses on payment of a token annual premium of Rs.120/-</p> <p>(b) Sickness Benefit(SB) : Sickness Benefit in the form of cash compensation at the rate of 70 per cent of wages is payable to insured workers during the periods of certified sickness for a maximum of 91 days in a year. In order to qualify for sickness benefit the insured worker is required to contribute for 78 days in a contribution period of 6 months.</p> <p>1. Extended Sickness Benefit(ESB) : SB extendable upto two years in the case of 34 malignant and long-term diseases at an enhanced rate of 80 per cent of wages.</p> <p>2. Enhanced Sickness Benefit : Enhanced Sickness Benefit equal to full wage is payable to insured persons undergoing sterilization for 7 days/14 days for male and female workers respectively.</p> <p>(c) Maternity Benefit (MB) : Maternity Benefit for confinement/pregnancy is payable for three months, which is extendable by further one month on medical advice at the rate of full wage subject to contribution for 70 days in the preceding year.</p> <p>(d) Disablement Benefit :</p> <p>1. Temporary disablement benefit (TDB) : From day one of entering insurable employment & irrespective of having paid any contribution in case of employment injury. Temporary Disablement Benefit at the rate of 90% of wage is payable so long as disability continues.</p> <p>2. Permanent disablement Benefit (PDB) : The benefit is paid at the rate of 90% of wage in the form of monthly payment depending upon the extent of loss of earning capacity as certified by a Medical Board</p> <p>(e) Dependants' Benefit(DB) : DB paid at the rate of 90% of wage in the form of monthly payment to the dependants of a deceased Insured person in cases where death occurs due to employment injury or occupational hazards.</p> <p>(f) Other Benefits :Funeral Expenses : An amount of Rs.10,000/- is payable to the dependents or to the</p>	<p>than ninety days during the preceding twelve months shall be eligible for beneficiary under this Act.”</p> <p>Section 12(2) says that “every application shall be accompanied by such documents together with such fee not exceeding fifty rupees as may be prescribed.”</p> <p>Section 11 lays down that ‘ subject to the provisions of this Act, every building worker registered as a beneficiary under this Act shall be entitled to the benefits provided by the Board from its fund under this Act.</p> <p>Section 22 lays down functions of the Board :-</p> <p>(1)The Board may:-</p> <p>a) Provide immediate assistance to a beneficiary in case of an accident.</p> <p>b) Make payment of pension to the beneficiaries who have completed the age of sixty years.</p> <p>c) Sanction loans & advances to a beneficiary for construction of house not exceeding such amount & on such terms & conditions as may be prescribed;</p> <p>d) Pay such amount in connection with premiums for Group Insurance Scheme of the beneficiaries as it may deem fit;</p> <p>e) Give such financial assistance for the education of children of the beneficiaries as may be prescribed;</p> <p>f) Meet such medical expenses for treatment of major ailments of a beneficiary or such dependants as may be prescribed;</p> <p>g) Make payment of maternity benefits to the female beneficiaries; and</p> <p>h) Make provision & improvement of such other welfare measures & facilities as may be prescribed.</p> <p>As per the Delhi Construction Welfare Board which is functioning , under the aegis of Delhi government, the following benefits are mentioned on the registration card of the construction workers registered at the Board are being provided by them to the registered workers :-</p> <ol style="list-style-type: none"> 1) Old Age pension. 2) Family pension. 3) Disablement assistance & pension 4) Housing loan for construction & purchase. 5) Scholarship for children 6) Loan for purchase of Tools 7) Assistance for marriage

Benefits & Contributory Conditions UNDER ESI ACT:	Benefits & Contributory Conditions UNDER BOCW ACT:
<p>person who performs last rites from day one of entering insurable employment. Confinement Expenses : An Insured Women or an I.P.in respect of his wife in case confinement occurs at a place where necessary medical facilities under ESI Scheme are not available.In addition, the scheme also provides some other need based benefits to insured workers. Vocational Rehabilitation :To permanently disabled Insured Person for undergoing VR Training at VRS.Physical Rehabilitation : In case of physical disablement due to employment injury.Old Age Medical Care :For Insured Person retiring on attaining the age of superannuation or under VRS/ERS and person having to leave service due to permanent disability insured person & spouse on payment of Rs. 120/- per annum.</p> <p>Rajiv Gandhi Shramik Kalyan Yojana : This scheme of Unemployment allowance was introduced w.e.f. 01-04-2005. An Insured Person who become unemployed after being insured three or more years, due to closure of factory/establishment, retrenchment or permanent invalidity are entitled to :-</p> <ul style="list-style-type: none"> • Unemployment Allowance equal to 50% of wage for a maximum period of upto one year. • Medical care for self and family from ESI Hospitals/ Dispensaries during the period IP receives unemployment allowance. • Vocational Training provided for upgrading skills - Expenditure on fee/travelling allowance borne by ESIC.Incentive to employers in the Private Sector for providing regular employment to the persons with disability : • Minimum wage limit for Physically Disabled Persons for availing ESIC Benefits is 25,000/-. • Employers' contribution is paid by the Central Government for 3 years. 	<ol style="list-style-type: none"> 8) Medical assistance 9) Medical assistance in case of accident 10) Maternity benefits 11) Funeral expenses 12) Assistance in case of death 13) Other benefits being in vogue by the Board. <p>In the last hearing at the Delhi High Court the Hon'ble Court was very particular about the benefits being provided to the construction workers engaged at the site & therefore has impleaded Delhi Construction Welfare Board as an additional party & asked them to file an affidavit in detail the steps taken by them for the welfare of Construction workers.</p> <p>Reference is also cited of the two Supreme court judgments the details in brief are as under :-</p> <ol style="list-style-type: none"> 1) In Regional Director, Employees State Insurance Corporation, Trichur v. Ramanuja Match Industries , the Court pointed out that "there is no doubt that beneficial legislations should have liberal construction with a view to implementing the legislative intent but where such beneficial legislation has a scheme of its own there is no warrant for the Court to travel beyond the scheme and extend the scope of the statute on the pretext of extending the statutory benefit to those who are not covered by the scheme". 2) In Lanco Anpara Power limited vs State Of Uttar Pradesh & others the Hon'ble Apex Court has held that " Construction workers not covered by the Factories Act, 1948 and are entitled to the welfare measure specifically provided under BOCW ACT, 1996 and Welfare Cess Act, 1996".

Thanking you,

Yours faithfully,



A. PUAZHENDI
President

Builders' Association of India

Copy to :

Shri Ajay Malik

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(i) **Provident Fund Matter**

Coverage of casual and temporary construction site worker is a contentious issue between Contractors and EPF Authorities for a long time. Builders' Association of India (BAI) have filed Writ Petitions at various Hon'ble High Courts, challenging the very applicability of the provisions of the EPF Act, insisting to cover the construction site workers from day one. BAI have also represented the matter to the Authorities emphasising about the difficulty of covering the daily workers in the P.F. coverage due to their peripatetic nature. Both the above measures have resulted in limited success.

Though the Department as well as the Court realises the practical difficulty of covering the daily workers in the E.P.F. Scheme, who generally work only for a limited period, even for 1 day, have not offered any solution to clear the situation. Many a times, the EPF Department have taken an aggressive stand against the Employer by levying 25% of the labour components from the Balance Sheet with interest and penalty resulting huge financial crisis to the Business as a whole. Notice from the EPF Authorities on demand of contribution for past period, have instilled fear and panic amongst the contractors as

the Department has enormous power to levy heavy penalty on the Employer. For instance, not only the Department can freeze the Bank Account of the Contractor, but it can also even collect the amount directly from the Creditors of the Contractor towards P.F. contribution for and on behalf of workers.

Against the retrospective levy of EPF contribution, BAI and many of its members have appealed before the EPF Tribunal, High Courts and Supreme Court and received favourable orders to the effect that, '**PF contribution is not a Cess, but a saving to the worker and therefore, deduction should be made when the worker could be identified, so that he could avail the benefits**'.

In this regard, BAI Headquarter have compiled a few Court Orders as mentined below, these Orders are not a blanket permission for not to cover the casual and temporary construction site workers in the EPF Scheme, but to notify your right to not to fall into the coercive methods adopted by the Departments, to levy of EPF contribution of past liabilities from percentage of the labour components mentioned in the Books of Accounts, without identifying the workers on whose behalf these deductions are effected..

**Chronology of events in respect of
The Employees' Provident Fund and Miscellaneous Provisions Act, 1952.**

S.No	Date	Events
1.	4/3/1952	The Act has come into force in whole of India except State of Jammu & Kashmir.
2.	31/10/1980	Central Government by Notification No. G.S.R. 1069 dated 23.9.1980 published in official gazette at India, Part-II, 5.3(I) dated 11.10.1980, page 2200 made applicable the provision of this Act to Building & Construction Industry. The qualifying period of employment for applicability of the scheme to employee was 240 days later on was reduced to 180 days and the establishment having 20 or more persons.
3.	16/1/1981	Government issued G.S.R. No.130 effective from 31.1.1981 wherein eligibility criteria U/s.26 is reduced to 90 days continuous service or has actually worked for not less than 60 days within a period of three months to become member of fund.
4.	7/2/1985	Government of India in Ministry of Labour, vide Resolution No.R-43011/2/82-RW has appointed a Tripartite Working Group consisting of Government Officers, Employers' representative (BAI is one of the members) and representative of employees reference was to:- 1) Identify specific difficulties of Construction Industry in implementing Provident Fund Scheme, ESIS, Gratuity Scheme. 2) To work out type of social security measures to be formulated for construction workers.
5.	21/3/1988	B.A.I. by it's application No.2385/F/88 addressed to the Secretary, Ministry of Labour, Government of India, U/s.19A of E.P.F. Act requested him to remove difficulties in implementation of the Act in view of temporary and casual workers and seasonal works of Industry.
6.	31/1/1990	The Tripartite Working Group submitted final report to Government stating that extension of social and security benefit to Building & Construction Industry, including E.P.F. were necessary. However, in view of the difference of opinion within the group alternatives

S.No	Date	Events
		regarding the function of proposed Construction Labour Board for administering social security were left for consideration of Government.
7.	19/10/1990	Government issued G.S.R. No.689 amended para 26, wherein eligibility criteria is reduced to date of joining the factory or establishment.
8.	26/8/1991	Central Provident Fund Commissioner issued circular No.12/Misc/91/E-I. After consulting Ministry of Law, Government of India and directed all Regional Provident Fund Commissioners not give effect to part of para 26 of E.P.F. Scheme 1952 to ensure uniformity of treatment. This was in view of stay orders granted various High Courts.
9.	9/3/1992	Piyarelal Hari Singh & Others filed Civil Writ Petition No.792 of 1991 challenging para 26(2) of E.P.F. Scheme. In Civil Motion Hon'ble High Court Delhi wanted to know from P.F. Department whether they have a scheme under which a peripatetic labour would be in a position to know balance in his account and draw money from his account anywhere in the country.
10.	19/5/1992	Shri K.C. Jain filed Additional Affidavit with revised accounting procedure having a pass book to be given to each beneficiary with ten digit permanent account number in Civil Writ Petition No.792 of 1991. Hon'ble High Court by it's order stated that, "we have perused scheme and we have our apprehension about the same only with regard one aspect viz. whether it will be easy or convenient for the workers to be able to realise the amount due to them. Therefore, every effort should be made to see that the scheme is made workable and will be lesser evil if worker obtain their money before it would ordinarily be due to them rather than workman losing the money in toto. All the aforesaid suggestions should again be examined by the Board and a detailed scheme be made available to the Court on 8 th July 1992 for final disposal".
11.	9/7/1992	E.P.F.O. inserted para 40A to E.P.F. Scheme 1952 under which every Employee was to be provided pass book effective from the date to be stipulated by C.P.F.C.
12.	14/10/1992	Legal Adviser to the Ministry of Labour, Government of India passed preliminary order in the matter of application filed by B.A.I. U/s.19A of the Act, as under:-1) Objections is raised by Central Provident Fund Commissioner that relief sought by BAI is not covered by items provided U/s.19A of the Act.2) BAI has no locus standi. 3) The question of implementing the Act in respect of temporary or casual employees is subjudice. All substance and the No.3 on the ground of there being no stay granted by Supreme Court.
13.	28/10/1992	Hon'ble Delhi High Court passed order in Civil Writ Petition No.792 of 1991 that, "Additional affidavits has been filed by the respondents. Some of the suggestions made by this Court have been accepted including the one operated upon, then without any formal application the amount standing to the credit of employee will be remitted to him by the P.F. Department by money order". Interim order to continue subject to the condition that with effect from 1.11.1992, the Petitioners shall maintain a P.F. account of all the employee as per the Notification of 1990 and shall furnish regular statements to P.F. Authorities as required by law. Counsel for the Petitioners have undertaken to this Court that as and when the Court orders, the contribution of the Employers as per the said statement will be handed over to P.F. Authorities or such other authority as may be directed by the Court.
14.	31/12/1992	Writ Petition No.6963 filed by Udipi Manorama Lodge & 3 others V/s. R.P.F. Visakhapatnam & Union of India challenging procedural part of legal requirement part of para 26 and parliament did not approve Notification U/s.7. Court ordered that there are no legal requirement and notification was placed before Lok Sabha on 7.1.1991.
15.	8/2/1994	Legal Adviser to the Ministry of Labour, Government of India gave order in petition filed by B.A.I. U/s.19A of E.P.F. Act in which respondents were Central Provident Fund Commissioner and Secretary of All India Construction Workers Union. The question considered by him was whether "the workers employed at the work site of Construction Industry are "employee" as defined U/s.2 or not ? The order states "Employee within terms of definitions is that he should be employed for wages in or in connection with work of the establishment". "The workers employed for wages necessarily enjoins some

S.No	Date	Events
		sort of contract of service. In other words there must be a Master and Servant relationship, a contractor postulated by section 2 (f) is purely a Labour Contractor and not an independent contractor undertaking to deliver a finished product to the establishment and who for the purpose of manufacturing/production/building such a finished product, engaged a labour for his own purpose". In such a situation, the employee working under direct control of sub-contractor, thekedar cannot be held to be employees under the principle employer for attracting provision of the Act".The casual workers of the nature discussed above are not covered in the definition of employee and the scheme, find support from the decision of the Orissa High Court in Executive Engineer, National Highway Division, Balasore V/s. Regional Provident Fund Commissioner (1988 Lab IC 690) as well as of the Karnataka High Court in Jyothi Home Industries & Others V/s. R.P.F.C. & Others (1993 II LIN 146).The matter is disposed of accordingly.
16.	31/8/1994	M.P. High Court at Jabalpur in it's order in Writ Petition No.3030 of 1991 filed by J.P. Tobacco Product Ltd. V/s. Regional Provident Fund Commissioner challenging the contention that : <ol style="list-style-type: none"> 1) The amendment to para 26(2) of scheme is invalid for non compliance of 5.7 (2) of the Act. 2) The compulsory contribution amounts to denial of minimum wages. 3) The amendment is impractical and unworkable. 4) The amendment is ultra vires of the Act and Article in and Article 19 (I)(9) of Constitution. Court observed that para 26(2) of the scheme is legal, valid and constitutional.
17.	23/12/1994	Being aggrieved against the order passed by the Legal Adviser, Ministry of Labour, Govt. of India, U/s.19A of the Act, the Employees' Provident Fund Organisation through Central Provident Fund Commissioner brought to the notice of Jt. Secretary to Central Government, difficulties arising out of this order which is contrary to the provision of the Act and Scheme. They required to review the order. The arguments put forward by BAI was that any order passed U/s.19A by a competent Authority who has been delegated authority to exercise power does not provided for any review and the order is final and as such this hearing is without jurisdiction. The mere reading of section 19A itself gives powers to Central Government for review reconsideration or setting aside of orders in the event of difficulties in implementation of the Act. Jt. Secretary to the Government of India, Ministry of Labour, passed order canceling the earlier order passed by the Legal Adviser on 8.2.1994 and directed the Employees' Provident Fund Organisation to enforce the provision of the Act applying it to employees of Building & Construction Industry as per Section 2(F) and Notification dated 11.10.1980. This order was issued with approval of Minister of State of Labour.
18.	17/4/1995	Supreme Court in it's order in SLP No.21762/94 and 6475/95 and 21149/94 arising out of judgment and order of M.P. High Court dated 31.8.1994 in the matter of J.P. Tobacco Product V/s. Union of India observed that the question before High Court was whether amended para 26 (2) of E.P.F. Scheme was invalid and unconstitutional. The High Court answered the question in the negative, we see no ground to interfere with impugned judgment. We agree with the reasoning and consequences reached by High Court SLP's are dismissed.
19.	24/4/1995	B.A.I. filed writ petition in Rajasthan High Court bearing No.1570195 of 1995 seeking for decision.
		<ol style="list-style-type: none"> 1) Whether workers engaged at work sites on daily wages and on purely casual, temporary and mobile are covered in the scheme. 2) Whether in Building & Construction Industry where they are carried out in multi-tier system, there is relationship of employer and employee between the main contractor and workers, casual, temporary and mobile engaged at sites. 3) Whether in absence of relationship of employer and employee between the main contractors are liable to follow the scheme even in respect of those workers.In addition

S.No	Date	Events
		challenge is to amendment to clause 26(2) of the scheme. This writ is admitted and notices to various authorities are given before hearing of Notice of motion.
20.	2/5/1995	Order of Division Bench of Delhi High Court in C.M. No.2921/1994 in Writ Petition No.792/1991 filed on 9.3.1992 challenging para 26(2) of P.F. Scheme that, "We however direct Respondent No.1 & 2 complying with modified scheme, the Petitioners shall deduct Provident Fund and deposit the same with Respondent No.1 & 2 in respect of casual workers also".
21.	28/6/1995	Central Provident Fund Commissioner issued circular No.12(Misc)/91/E-1 to all Regional Provident Fund Commissioners stating Supreme Court's order dated 17.4.1995 and requesting compliance of scheme under amended para 26 of E.P.F. Scheme for current period effective from 1.5.1995. It further states that as regards past period the matter is under consideration with Central Government and further communication will follow.
22.	7/3/1996	In Writ Petition No.6542 of 1996 and 6543 of 1996 in Bangalore High Court filed by Bhandari Builders, B.G. Shirke Construction Pvt. Ltd., & B.A.I. v/s. Central Provident Fund Commissioner, R.P.F. Commissioner & Union of India requesting Court to declare Para 26(2) of E.P.F. Scheme illegal and unconstitutional and ultra vires tax provision of E.P.F. Act since it is unworkable and impracticable Court admitted writ and granted stay for four weeks which was further extended by Court till further orders by order dated 3.4.1996.
23.	19/9/1996	Final Order of Division Bench of Delhi High Court in Piyarelal Hari Singh & Others and connected Writ Petitions vs. Union of India in C.W.P. No.792 of 1991. Held that ipso-facto, the Government Notification dated 19.11.1990 amending para 26 of the scheme shall not apply to casual workers as identified by Supreme Court in case of The Regional Provident Fund Commissioner vs. T.S. Hariharan. However, Branch stated that which casual worker is covered by the scheme and the Act will be a question of determination in facts and circumstances of each case. Mr. Nayar appearing for the Petitioners brought to our notice additional affidavit filed on behalf of respondent by Shri R.C. Jain, Regional Provident Fund Commissioner, New Delhi, dated 26 th November 1991. Inter-alia, stating that a pass book system has been introduced w.e.f. November 1991. The order dated 2 nd May 1995 directs that on respondents 1 and 2 complying with the modified scheme, the Petitioners shall deduct the Provident Fund and deposit the same with respondents 1 and 2 in respect of casual workers also. It is admitted that reference to modified scheme in the order dated 2 nd May 1995 is in fact reference to the modified procedure as mentioned in the aforesaid affidavit dated 26 th November 1991. On objection being raised by Mr. Nayar that modified procedure as stated in the affidavit dated 26 th November 1991 has not been introduced. Mr. Mukherjee explained that the same was introduced w.e.f. 1 st November 1991 as stated in the affidavit. We only record this submission as it is not necessary to say anything more on this aspect in view of what has been stated by Mr. Mukherjee. Accordingly, this and the connected writ petitions are disposed of in the above terms. No costs.
24.	4/9/1997	BAI and 36 other contractors filed Writ Petition No.2593 of 1997 before Nagpur Bench of Bombay High Court challenging provisions of amended para 26(2) of Provident Fund Scheme as far as temporary and casual site workers.
25.	8/9/1997	Nagpur Bench issued stay against operation of scheme para 26(2) in respect of casual and temporary workers.
26.	24/12/1997	Central Provident Fund Commissioner issued a Circular No.12(Misc)/91/E.I. 76161 directing all R.P.F. Commissioners to : <ol style="list-style-type: none"> 1) The Enforcement Authorities should take all necessary action in the first instance to implement the amendment from 1.11.1990 in respect of those employees who are continuing to be in employment and are still on rolls. 2) In respect of person who left service but still can be identified their enrollment should be ensured from 1.11.1990. 3) In respect of persons who are not in employment of the establishment and can not be identified at present, their cases can be complied and necessary information may be sent to Head Office for further orders.

S.No	Date	Events
27.	3/7/1998	Central Provident Fund Commissioner issued Circular No.17(3)/93/EI/KAI to all Regional Provident Fund Commissioners that the practice of allotment of separate code number to Contractor is contrary to provision of section 6 of E.P.F. Act and para 30(3) of E.P.F. Scheme. The responsibility of depositing contribution and various return lies with Principal Employer and R.P.F.C's are requested to stop allotment of code number to Contractors.
28.	13/11/1998	Central Provident Fund Commissioner issued a Circular bearing No.7(20)97/MH/E-I/73725 informing all Regional Provident Fund Commissioners that, Delhi High Court order dated 19.9.1996 has not diluted applicability of scheme to casual and temporary workers and informing them that E.P.F. Organisation has set up E.D.P. Computer Centres for its office and networking through modem has been completed in 25 offices and directing them to enforce provision of law in the best interest of workers engaged in building and construction industry.
29.	15/11/1999	Minute of the Meeting held with Members of BAI by Regional Provident Fund Commissioner, Delhi states that, "the direction of the Hon'ble High Court for technical purpose is very much on record and Joint Task Force of the Officer of the Department and few members of Builders' Association of India may be constituted to draft out Permanent Account Number of 10 digit to be earmarked".
30.	13/2/2001	Central Provident Fund Commissioner issued Circular No.EF/17(3)/93/Vol.III to all Regional Provident Fund Commissioners that, matter of not allotting code numbers to Contractors was examined and clarified that Employers rendering service on contract basis having 20 or more employees be allotted separate code numbers.
31.	22/8/2003	Regional Provident Fund Commissioner issued Circular No. Coord 5912)2002/MOL that a Sub Committee is formed under Chairmanship of Shri Ravi Wig for extending social security benefit to construction workers and that the Committee should submit report before 31.12.2003.
32.	3/2/2004	Central Board of Trustees in 166 th Meeting discussed the following:- a) Sub Committee headed by Chairman Shri Ravi Wig recommended E.P.F.O. should ensure that the Act is made applicable to establishment / workers hitherto not covered be covered from the date of declaration by the establishment and only on the issue of S.S.N. Number. b) Doubts were raised about maintenance of uniqueness of S.S.N. by dropping bio-metric component. C.P.F.C. clarified that the product offered by M/s. C.M.C. failed to meet the acceptance test as such it was decided to drop bio-metric component.
33.	23/2/2004	Central Board of Trustees 167 th Meeting confirmed minutes of 166 th Meeting.
34.	6/9/2004	Addl. Central Provident Fund Commissioner issued letter that Central Board of Trustees formed a Committee under Chairmanship of Shri Ashok Sing with Shri B.N. Rai, Shri Ravi Wig and Shri Sharad Patil as other members for monitoring the extension of social security to construction workers.
35.	3/5/2006	Addl. Central Provident Fund Commissioner by his letter No.Co-ord(12)02/MOL/Pt. wrote to BAI President that, "work relating to issue of NSSF number to construction workers have been started and all Regional Provident Fund Commissioners have been directed to issue NSSF Number to construction workers on priority basis."
36.	4/8/2006	Addl. Central Provident Fund Commissioner issued Circular No.Co-ord/5(12)02/MOL/Pt/BAI/11083 directing all Regional Provident Fund Commissioners to issue S.S.N. Number to construction worker falling in your jurisdiction on priority basis.
37.	22/2/2007	Addl. Central Provident Fund Commissioner by his letter No.Co.ord/5(71)/06/MOL/Sub.Com/Constn.Work/86040 issued to all Regional Provident Fund Commissioners to approach various Centres of BAI and allot Business Number to Construction Industry immediately without any further delay and also to secure compliance.
38.	1/1/2008	Regional Provident Fund Commissioner compliance issued a Circular No.Co-ord/5(71)/06/MOL/Sub.Com/Constn.Worker directing all R.P.F.Cs to take proactive steps to cover all establishment in Construction Industry by seeking their co-operation and address their genuine problems and that Co-operative Employers are not to be unduly harassed by field formation.

S.No	Date	Events
39.	18/7/2008	Regional Provident Fund Commissioner issued Circular No.SSN/HO/07-08/01 directing all R.P.F.Cs that under revised strategy, for the time being, S.S.N. is not a prerequisite for the proposed application that is being developed by E.P.F.O. in collaboration with N.I.C. Regional Provident Fund Commissioners were directed not to insist upon S.S.N. forms at the time of submission of claims.
40.	7/9/2011	Hon'ble High Court Gujarat in Civil Application No.11011/2009 filed by Hind Kisan Mazdoor Panchayat directing E.P.F.O. for implementation of pass book under para 40A of E.P.F. Scheme, granted time to E.P.F.O. for response upto 20.10.2011.
41.	20/10/2011	Hon'ble High Court Gujarat passed further order in Civil Application No.11611 of 2009 extending time upto 4 months from 30.11.2011 to E.P.F.O. to give it's response with a rider that no application for extension of time will be filed.
42.	20/1/2012	Hon'ble Employees' Provident Fund Appellate Tribunal, Chandigarh, in Petition No.ATA No.217 (II)/2011 decided that, "Until and unless, the beneficiaries are identified, the determined dues as decided by the Enforcement Officer would not help the workers as the money would not reach to them till the time they are identified".
43.	20/7/2012	Hon'ble Patna High Court in Civil Writ No.11499/2006 in the matter of Roxy Cinema V/ s. State of Bihar stated that, under Section 7A of E.P.F. Act liability can not be saddled upon establishment in the name of compliance of law without identification of employee entitled for the same. EPF Authority can not make collection or contribution for faceless, nameless or non identifiable workman on mere head count or herd count. To collect fund for welfare of workman who are required to be taken care of after their superannuation and not to gather money to meet any pre-conceived target.
44.	8/10/2012	E.P.F. Appellate Tribunal, Ludhiana in Appeal No.ATA No.331(11)/2011 filed by Food Corporation against R.P.F.C., Ludhiana observed that "according to rules of Contract Labour (Regulation & Abolition) Central Rules 1971, all the registers and other records shall be preserved for a period of three calendar years from the date of entry therein. Hence the Appellant can not be directed to produce the records pertaining to contractors workers for the long back period.
45.	17/10/2012	Hon'ble Employees' Provident Fund Appellate Tribunal, Chandigarh, in Petition No.ATA No.630 (II)/2006 observed that, the respondent determined the P.F. dues without identification of concerned Employees / Beneficiaries".
46.	30/11/2012	Central Provident Fund Commissioner issued Circular No.7(12)2012/RCS-Review Meeting to all Regional Provident Fund Commissioners that there shall be no assessment under Section 7A of E.P.F. Act 1952 without identifying members whose account fund is to be credited and that no enquiry or investigation shall ordinarily go beyond seven years.
47.	18/12/2012	Central Provident Fund Commissioner issued Circular No.7(1)2012/R.C's Review Meeting/21224 keeping circular of 30.11.2012 in abeyance till further orders.
48.	26/3/2013	Chairman, BAI Delhi Centre written letter to Central Provident Fund Commissioner that, "modified accounting procedure scheme" be notified for implementation and Enquiry U/s.7A of P.F. Act be restricted to maximum of past 3 years and liability of Employers be not worked out on basis of 25% contract amount.
49.	6/5/2013	Regional Provident Fund Commissioner in response stated that, issue of ten digit permanent P.F. number is not possible.
50.	23/9/2013	Hon'ble Bombay High Court passed order in Writ Petition No.1901/2011 in the matter of M/s. Rallis India Limited V/s. The Asst. Provident Fund Commissioner & Ors that, "Determination of money should not be on the basis of presumption and assumption but after identification of beneficiaries".
51.	02/05/2016	The Hon'ble Supreme Court of India in the Petition for Special Leave to Appeal (C) No. 8035 of 2016 in the case of Builders' Association of India V/s. Union of India & Ors. (Arising out of Impugned final judgment and order dated 16/10/2015 in LPA No. 728/2014 passed by the High Court of Delhi at New Delhi). Apprehension of the petitioner appears to be that without identifying the beneficiary workmen, the contribution is being sought. Without identification, the petitioner will not be liable to make the contribution, it is submitted.

S.No	Date	Events
		That process of identification will arise only at the stage of enquiry that is to be conducted by the respondent – organization. Therefore, it is made clear that during the process of enquiry conducted by the respondent-organization, the steps will also be taken to identify the workmen either of the petitioner or engaged through contractors.
52.	23/03/2018	The Nagpur bench of the Hon'ble Mumbai High Court on 23rd March 2018, in Writ Petition No. 1674 / 2016 filled by Kaushik K. Chatterjee Engineers and Contractors Versus Assistant Provident Fund Commissioner have ordered that 'The amount collected from an employer towards provident fund contribution on behalf of workers should be returned, in case the Provident Fund Department could not identified the name and address of such worker on whose behalf this contribution is collected.'
53.	28/02/2019	Supreme Court on 28th February, 2019 passed an order that certain allowances paid uniformly normally and ordinarily should all come within the definition with basic wages under the provisions of 'EPF Act, 1952'. Using this order EPF authorities have now started issuing notices to employers for including the allowances also while remitting the PF contribution with retrospective effect. This will have serious implications on any business, particularly building and construction business. BAI has written to Government of India for implementing the order prospectively.

Though the matter of Provident Fund is a settled issue as far as the BAI is concerned after the orders of the Hon'ble Supreme Court of India in the LPA filed by BAI and orders of the Court on 2nd May 2017. The Builders Association of India Headquarter always remain alert and vigilant and come to action as well as helping hand to the members of the industry in fighting the injustice. The recent incident of harassment at the hands of EPFO officials came in to the Press which reproduced below for the information of members so that they should be aware of what is going on around with regard to the labour matters :-

Nagpur Bench of the Hon'ble Mumbai High Court on 23rd March 2018, in Writ Petition No. 1674 / 2016 filled by Kaushik K. Chatterjee Engineers and Contractors Versus Assistant Provident Fund Commissioner have ordered

that "The amount collected from an employer towards provident fund contribution on behalf of workers should be returned by the Department, in case the Provident Fund Department could not identify the name and address of such worker on whose behalf this contribution is collected." To make it more clearer the Hon. General Secretary stated that, The Hon'ble High Court has attributed the responsibility of disbursing the Provident Fund amount to the workers and if no such workers could be identified, such amount so collected by coercive measures mentioned under section 8-B and 8-F of the Provident Fund Act should be returned to the employer from whom the amount is collected. (This sections speaks about attaching the bank account of the employer or to collect the amount directly from the creditors whose bill are pending /outstanding)

News Paper Report on the EPF Matter :-

Hitavada News paper report dated 2nd February 2019 along with the agenda with heading 'HC summons top EPFO officer in PIL about Rs 351 cr unclaimed sum'.

'HC SUMMONS TOP EPFO OFFICER IN PIL ABOUT Rs.351 CR UNCLAIMED SUM'.

'Nagpur bench of Bombay High Court on Friday summoned Assistant Commissioner of Employees Provident Fund Organisation (EPFO) for failure to respond to a suo-motu Public Interest Litigation (PIL) about unclaimed amount of Rs 351 crore provident fund recovered from employers by the EPFO using coercive methods. This huge sum is lying idle with EPFO since majority of beneficiary employees have not been identified for years.

A division bench consisting of Justice Ravi Deshpande and Justice Vinay Joshi while expressing anguish over lack of any response from EPF authorities, directed Assistant

Commissioner to remain personally present on February 11, failing which bailable warrant would be issued to secure his presence.

The High Court then sought to know whether PF Commissioner as a trustee is required to refund such unclaimed amount along with interest to all such employers from whom it is collected, if it is not disbursed to the employees within a specific period and had referred the matter to the division bench to consider whether this order could be treated as suo motu public interest litigation and to pass appropriate orders related to the amount lying in the deposit; to prevent recovery of amount without

identifying the employees; consider the question of refund of unclaimed amount to the employers from whom it is recovered’.

Hitavada Newspaper report dated 12th February 2019 under the heading ‘HC issues notice to EPFO over unclaimed sum’.

‘HC issues notice to EPFO over unclaimed sum’

“Nagpur Bench of Bombay High Court on Monday issued notice to Employees Provident Fund Organisation (EPFO) and its top brass in a suo motu PIL about unclaimed amount of Rs.351 crore Provident Fund recovered from Employers of Nagpur division by the EPFO using coercive methods. Across country, the unclaimed amount is pegged at Rs.40,865 crore.

A division bench consisting of Justice Ravi Deshpande and Justice Vinay Joshi asked the respondents to file reply within eight weeks. As directed by the High Court, Assistant EPF Commissioner Devendra Sontakke was personally present before the Court. According to earlier affidavit, this huge sum is lying idle with EPFO since majority of beneficiary employees have not been identified for years.

The High Court had registered a suo moto PIL noting the past orders passed in earlier petition filed by a contractor Kaushik Chatterjee challenging the coercive recovery for unidentified 24 employees. The High Court had appointed Adv. A.J. Pathak as Amicus Curiae to submit a proper PIL by taking into account three orders passed on March 14, March 16 and March 23, 2018 in W.P. No.1674/2016. The High Court in these orders was shocked to learn that

EPFO had collected a whopping sum of Rs.351 crore from Employers, industries here and this sum was not being utilized for any beneficial purpose.”

The Nagpur Bench of the Hon’ble Mumbai High Court on 23rd March 2018, in Writ Petition No. 1674/2016 filed by Kaushik K. Chatterjee Engineers and Contractors Versus Assistant Provident Fund Commissioner have ordered that “The amount collected from an employer towards provident fund contribution on behalf of workers should be returned by the Department, in case the Provident Fund Department could not identify the name and address of such worker on whose behalf this contribution is collected.”

In other words, The Hon’ble High Court has attributed the responsibility of disbursing the Provident Fund amount to the workers and if no such workers could be identified, such amount so collected by coercive measures mentioned under section 8-B and 8-F of the Provident Fund Act should be returned to the employer from whom the amount is collected. (This sections speaks about attaching the bank account of the employer or to collect the amount directly from the creditors whose bill are pending /outstanding)

The summary of the order given herein below.

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR**

WRIT PETITION NO. 1674 OF 2016

Kaushik K. Chatterjee Engineers and Contractors,
A Proprietorship concern
having its place of Business at
Khare Town (Near Asha Mangal Karyalaya)
Dharampeth, Nagpur, 440 010
through its Proprietor

Shri Kaushik Chatterjee..... PETITIONER

...VERSUS...

*Assistant Provident Fund Commissioner,
Employees Provident Fund Organization,
132-A, Ridge Road, Raghuji Nagar,
Nagpur - 440 009.....*

RESPONDENT

Shri S. N. Dandekar, counsel for Petitioner.

Shri S. D. Sirpurkar, counsel for Respondent

CORAM: R. K. DESHPANDE, J.

ORAL JUDGMENT

DATE : 23 MARCH, 2018

1] This petition challenges the order dated 29.01.2016

passed by the Assistant Provident Fund Commissioner determining the liability of the employer under Section 7-A of the Employees Provident Fund and Miscellaneous Provisions Act, 1952, to pay the provident fund dues of Rs.1,45,75,337/- (Rupees One Crore Forty Five Lakhs Seventy Five Thousand Three Hundred and Thirty Seven only) for the period 2008-09 to 2014-15 with the direction to the employer to deposit the amount of dues and submit the compliance report within the period of 15 days, failing which steps shall be taken to recover the amount by invoking provisions of Section 8-B and 8-F of the said Act.

- 2] The main ground of challenge in the petition is that without even identifying the employees, the liability has been determined. The order impugned also does not show the names and identifiable addresses of 24 employees said to have been engaged by the contractor employed by the petitioner during the aforesaid period. Obviously, the collection of dues under Section 7-A of the said Act is meant for disbursement of the amount to identifiable employees. If the employees are not identified, then there is no use in saddling liability under Section 7-A of the said Act upon the employer.
- 3] As per the provisions of Section 6 of the said Act, the contribution which the employer is required to pay to the provident fund is at the rate of ten per cent of the basic wages, dearness allowance and retaining allowance, if any, for the time being payable to each of the employees, whether employed by him directly or through the contractor. If the employees engaged by the contractor are not found or identified, then it is also noticed that an amount under Section 7-A of the said Act is determined on the basis of fifteen per cent of the total charges paid to the contractor which constitutes the component adopted towards wages paid to the employees for determination of liability under Section 7-A of the said Act. If such amount is not paid, then huge amount of interest and damages under Section 7-Q and 14-B is also assessed and determined.
- 4] In order to recover such amount from the principal employer, coercive measures are adopted as are prescribed under Section 8-B and 8-F of the said Act either by attaching the accounts of the principal employer in the bank or by making demands from the creditors from whom the employer is entitled to receive the amount. This Court has come across several cases wherein the office of the Provident Fund Commissioner collects huge amount from several employers without even identifying the employees. The anxiety of this Court was, therefore, to know what is done by the Provident Fund Commissioner of such amount collected from the employers and recovered some times with interest

and damages levied thereon by adopting coercive measures under Section 8-B and 8-F of the said Act.

- 5] On 14.03.2018, this Court passed an order as under;

“The contention in this writ petition is that without even identifying employees, the liability of Rs. 1,45,75,337/- has been fixed under Section 7-A of the Employees Provident Fund Act. A specific question was put to the learned counsel for the respondent to point out the names of employees to whom the amount of provident fund to be collected from the petitioner is to be distributed. He is unable to point it out from the order impugned.

The objection is raised as to the existence of the alternate remedy in which, the petitioner will be required to deposit minimum of 50% of the amount of liability imposed. Prima-facie, it does not seem to be efficacious.

Since the learned counsel for the respondent is unable to assist the Court on this aspect, on the sustainability of the order of order passed, the Assistant Provident Fund Commissioner is directed to remain present personally before this Court tomorrow i.e. on 16.03.2018 at 10.30 a.m. so that he can assist the Court in the matter”.

- 6] Thereafter, on 16.03.2018, this Court passed an order as under;

“In response to the order dated 14.03.2018 the Assistant Provident Fund Commissioner is personally present before this court. This court has come across several cases wherein, even without identification of the employees, the liability of provident fund dues is saddled upon the employer determined under Section 7-A, 7-Q and 14-B of the Employees’ Provident Funds and Miscellaneous Provisions Act, 1952 (“said Act” for short). It is recovered either by following the procedure under Section 8-B or under Section 8-F of the said Act, by attaching the accounts or forcing the creditors of the employer to forward the amount due and payable to the employer against whom an order under Section 7-A, 7-Q or 14-B is passed.

It is informed to this Court by the learned counsel appearing for the respondent that if the employees are not identified but the amount is collected or recovered from the employer, then to trace out such employees enquiry is made with the employers to give the address and names of such employees. If it is found that the amount so received or collected from the employer remains unclaimed, then it remains with the office of the Assistant Provident Fund Commissioner.

In the aforesaid background the respondent -

Assistant Provident Fund Commissioner is directed to provide the account numbers along with the amount of unclaimed provident fund dues collected from the employer and lying in the said account with the relevant extract of upto date entries. A specific question is put to the Assistant Provident Fund Commissioner, who is present before this court as to how the amount lying in such account is processed? It is informed that the said amount remains with the Assistant Provident Fund Commissioner.

Prima facie it seems that huge amount in crores of rupees is collected from various employers by adopting coercive measures as permitted under Section 8-B and 8-F of the said Act, not only to recover the amount of provident fund dues recoverable under Section 7-A, but also the amount of interest under Section 7-Q and all damages under Section 14-B. The latest entries in the accounts in which the amounts collected under Section 7-A, 7-Q and 14-B is deposited should be produced and the affidavit be filed as to how the amount lying in such accounts is processed and what is done about it.

Put up this matter on 23.03.2018.

Steno copy of this order be furnished to the learned counsel for the respondent to act upon."

- 7] Today, the Assistant Provident Fund Commissioner is personally present before this Court and has tendered through counsel, a summary of inoperative accounts (estimated) as on 21.03.2018, in which the unclaimed amount remains in deposit. A shocking figure has emerged of Rs.351,11,41,170/- (Rupees Three Hundred Fifty One Crores Eleven Lakhs Forty One Thousand One Hundred Seventy only). This amount is not distributed or disbursed to the beneficiaries probably on the ground that the efforts were made after the orders were passed to identify the employees along with their addresses, but the employees remained unidentified or failed to report back to collect the amount.
- 8] A specific question is put to the Assistant Provident Fund Commissioner as to whether the figure of Rs.351,11,41,170/- includes an amount of interest under Section 7-Q and of the damages under Section 14-B apart from the amount of provident fund dues assessed and collected under Section 7-A of the said Act. He submits that this will be ascertained from the record and it is not possible to make such a statement or to submit classification of such figures and for that purpose he seeks time to file an affidavit. 9] Another question was put to the Assistant Provident Fund Commissioner as to whose duty is to identify the employees. According to him, it is for the employers to submit the names and identifiable addresses of such employees and the duty of the

Provident Fund Department is to distribute or disburse the amount so collected, to the beneficiaries. It is also the question put to him as to how and in what manner such huge amount lying in the account for years together is processed or utilized. He submits that the amount is technically unclaimed and as and when the beneficiaries are identified and approached the Department, the amount is disbursed. This, in my view, is not the answer to my question. What is tried to be conveyed is that if the beneficiaries remained unidentified for years together or do not turn up to collect the amount, whether the amount is returned to the employer or there are any further instructions about its utilization. The Assistant Provident Fund Commissioner seeks time to file an affidavit in response to such query. 10] Prima facie, this Court is of the view that there cannot be determination of liability of the provident fund dues under Section 7-A of the said Act without actually identifying the employees along with their verifiable addresses. It is not open for the respondent Assistant Provident Fund Commissioner to proceed to determine the liability of the employer under Section 7-A of the said Act by holding that the employer has failed to produce the evidence and therefore, the employees remain unidentified. This aspect is dealt with by the Apex Court in paragraph Nos. 7, 8 and 9 of the decision in the case of Food Corporation of India vrs. The Provident Fund Commissioner and others reported in 1990 I CLR 20, which are reproduced below.

- "7. The question, in our opinion, is not whether one has failed to produce evidence. The question is whether the Commissioner who is the statutory authority has exercised powers vested in him to collect the relevant evidence before determining the amount payable under the said Act.
8. It is of importance to remember that the Commissioner while conducting an inquiry under section (7A) has the same powers as are vested in a Court under the Code of Civil Procedure for trying a suit. The section reads as follows:
- "S. 7(A) Determination of Moneys due from Employer— (1) The Central Provident Fund Commissioner, any Deputy Provident Fund Commissioner or any Regional Provident Fund Commissioner may, by order determine the amount due from any employer under any provision of this Act (the scheme or the Family Pension Scheme or the Insurance Scheme as the case may be) and for this purpose may conduct such inquiry as he may deem necessary.
- (2) The Officer conducting the inquiry under sub-section (1) shall, for the purposes of such inquiry, have the

same powers as are vested in a Court under the Code of Civil Procedure, 1908, for trying a suit in respect of the following matters, namely:

- (a) enforcing the attendance of any person or examining him on oath;
- (b) requiring the discovery and production of documents;
- (c) receiving evidence on affidavit;
- (d) issuing commissions for the examination of witnesses.

and any such inquiry shall be deemed to be a judicial proceeding within the meaning of Sections 193 and 228, and for the purpose of Section 196 of the Indian Penal Code.”

- 9] It will be seen from the above provisions that the Commissioner is authorised to enforce attendance in person and also to examine any person on oath. He has the power requiring the discovery and production of documents. This power was given to the Commissioner to decide not abstract questions of law, but only to determine actual concrete differences in payment of contribution and other dues by identifying the workmen. The Commissioner should exercise all his powers to collect all evidence and collate all material before coming to proper conclusion. That is the legal duty of the Commissioner. It would be failure to exercise the jurisdiction particularly when a party to the proceedings requests for summoning evidence from a particular person.” (Emphasis supplied).
- 10] The law laid down by the Apex Court is absolutely clear in respect of three things i.e. (1) that the Provident Fund Commissioner cannot saddle the liability upon the employer for the reason that the employer has failed to produce evidence, (2) the liability can be fixed only upon identifying the workmen or employees and (3) it is the duty of the Provident Fund Commissioner to collect evidence and collate all material before coming to proper

conclusion. I have followed the said judgment in the case of Rallis India Ltd., Akola vrs. Assistant Provident Fund Commissioner, Nagpur and another, reported in 2014 I CLR 233.

- 11] It further seems that determination of provident fund dues under Section 7-A of the said Act cannot be on the basis of specific percentage of the charges paid to the contractor, which is totally irrelevant to the provisions of Section 6 of the said Act, which requires the contribution to be paid at the rate of ten percent of the basic charges, dearness allowance and retaining allowance payable to each of the employees, whether employed directly or through a contractor. In the absence of determination of specific amount of basic wages, dearness allowance and retaining allowance payable to each of the employee, the amount of contribution cannot be determined.
- 12] The Provident Fund Commissioner acts as a trustee and is bound to find out the employees to whom the amount determined under Sections 7-A, 7-Q and 14-B is required to be paid. The amount collected in the name of the employees cannot be utilized for any other purposes. The question, therefore, arises as to whether the Provident Fund Commissioner is required to refund the said amount along with interest to all such employers from whom it is collected, if the amount is not disbursed to the employees within a specific period.
- 13] Put up this matter before the Division Bench on 27.03.2018 to consider this question as to whether this order can be treated as suo motu public interest litigation and to pass appropriate orders therein in respect of - (i) the amount lying in the deposit; (ii) to prevent recovery of amount without identifying the employees; (iii) consider the question of refund of unclaimed amount to the employers from whom it is recovered; (iv) how and in what manner the coercive recovery under Section 8-F can be resorted to, etc. JUDGE Rvjalit

Supreme Court on 28th February, 2019 passed an order that certain allowances paid uniformly normally and ordinarily should all come within the definition with basic wages under the provisions of ‘EPF Act, 1952’. Using this order EPF authorities have now started issuing notices to employers for including the allowances also while remitting the PF contribution with retrospective effect. This will have serious implications on any business, particularly building and construction business. BAI has written to Government of India for implementing the order prospectively.

REPORTABLE

IN THE SUPREME COURT OF INDIA
CIVIL APPELLATE/ORIGINAL JURISDICTION

CIVIL APPEAL NO(s). 6221 OF 2011

THE REGIONAL PROVIDENT FUND

COMMISSIONER (II) WEST BENGAL

...APPELLANT(S)

VERSUS

VIVEKANANDA VIDYAMANDIR AND OTHERS ...RESPONDENT(S)

WITH

CIVIL APPEAL NO(s). 3965--3966 OF 2013

SURYA ROSHNI LTD. ...APPELLANT(S)

VERSUS

EMPLOYEES PROVIDENT FUND AND OTHERS ...RESPONDENT(S)

CIVIL APPEAL NO(s). 3969--3970 OF 2013

U-FLEX LTD. ...APPELLANT(S)

VERSUS

EMPLOYEES PROVIDENT FUND AND ANOTHER ...RESPONDENT(S)

CIVIL APPEAL NO(s). 3967--3968 OF 2013

MONTAGE ENTERPRISES PVT. LTD. ...APPELLANT(S)

VERSUS

EMPLOYEES PROVIDENT FUND AND ANOTHER ...RESPONDENT(S)

TRANSFER CASE (C) NO(s).19 OF 2019
(arising out of T.P.(C)No. 1273 OF 2013)

THE MANAGEMENT OF SAINT-GOBAIN GLASS INDIA LTD. ...PETITIONER(S)

VERSUS

THE REGIONAL PROVIDENT FUND
COMMISSIONER, EMPLOYEES'
PROVIDENT FUND ORGANISATION ...RESPONDENT(S)

JUDGMENT

NAVIN SINHA, J.

1. The appellants with the exception of Civil Appeal No. 6221 of 2011, are establishments covered under the Employees' Provident Fund and Miscellaneous Provisions Act, 1952 (hereinafter referred to as the "Act"). The appeals raise a common question of law, if the special allowances paid by an establishment to its employees would fall within the expression "basic wages" under Section 2(b)(ii) read with Section 6 of the Act for computation of deduction towards Provident Fund. The appeals have therefore been heard together and are being disposed by a common order.

of incentive to teaching and non-teaching staff pursuant to an agreement between the staff and the management. The incentive was reviewed from time to time upon enhancement of the tuition fees of the students. The authority under the Act held that the special allowance was to be included in basic wage for deduction of provident fund. The Single Judge set aside the order. The Division Bench initially after examining the salary structure allowed the appeal on 13.01.2005 holding that the special allowance was a part of dearness allowance liable to deduction. The order was recalled on 16.01.2007 at the behest of the respondent as none had appeared on its behalf. The subsequent Division Bench dismissed the appeal holding that the special allowance was not linked to the consumer price index, and therefore did not fall within the definition of basic wage, thus not liable to deduction.
2. It is considered appropriate to briefly set out the individual facts of each appeal for better appreciation.

Civil Appeal No. 6221 of 2011: The respondent is an unaided school giving special allowance by way

Civil Appeal Nos. 3965-66 of 2013: The appellant was paying basic wage + variable dearness allowance (VDA) + house rent allowance (HRA) + travel allowance + canteen allowance + lunch incentive. The special allowances not having been included in basic wage, deduction for provident fund was not made from the same. The authority under the Act held that only washing allowance was to be excluded from basic wage. The High Court partially allowed the writ petition by excluding lunch incentive from basic wage. A review petition against the same by the appellant was dismissed.

Civil Appeal Nos. 396970 of 2013: The appellant was not deducting Provident Fund contribution on house rent allowance, special allowance, management allowance and conveyance allowance by excluding it from basic wage. The authority under the Act held that the allowances had to be taken into account as basic wage for deduction. The High Court dismissed the writ petition and the review petition filed by the appellant.

Civil Appeal Nos. 396768 of 2013: The appellant company was not deducting Provident Fund contribution on house rent allowance, special allowance, management allowance and conveyance allowance by excluding it from basic wage. The authority under the Act held that the special allowances formed part of basic wage and was liable to deduction. The writ petition and review petition filed by the appellant were dismissed.

Transfer Case (C) No.19 of 2019 (arising out of T.P. (C) No.1273 of 2013): The petitioner filed W.P. No. 25443 of 2010 against the show cause notice issued by the authority under the Act calling for records to determine if conveyance allowance, education allowance, food concession, medical allowance, special holidays, night shift incentives and city compensatory allowance constituted part of basic wage. The writ petition was dismissed being against a show cause notice and the statutory remedy available under the Act, including an appeal. A Writ Appeal (Civil) No.1026 of 2011 was preferred against the same and which has been transferred to this Court at the request of the petitioner even before a final adjudication of liability.

3. We have heard learned Additional Solicitor General, Shri Vikramajit Banerjee and Shri Sanjay Kumar Jain appearing for the Regional Provident Fund Commissioner and Shri Ranjit Kumar, learned Senior Counsel who made the lead arguments on behalf of the Establishment appellants, and also Mr. Anand Gopalan, learned counsel appearing for the petitioner in the transfer petition.
4. Shri Vikramajit Banerjee, learned Additional Solicitor General appearing for the appellant in Civil

Appeal No. 6221 of 2011, submitted that the special allowance paid to the teaching and nonteaching staff of the respondent school was nothing but camouflaged dearness allowance liable to deduction as part of basic wage. Section 2(b)(ii) defined dearness allowance as all cash payment by whatever name called paid to an employee on account of a rise in the cost of living. The allowance shall therefore fall within the term dearness allowance, irrespective of the nomenclature, it being paid to all employees on account of rise in the cost of living. The special allowance had all the indices of a dearness allowance. A bare perusal of the breakup of the different ingredients of the salary noticed in the earlier order of the Division Bench dated 13.01.2005 makes it apparent that it formed part of the component of pay falling within dearness allowance. The special allowance was also subject to increment on a time scale. The Act was a social beneficial welfare legislation meant for protection of the weaker sections of the society, i.e. the workmen, and was therefore, required to be interpreted in a manner to subserve and advance the purpose of the legislation. Under Section 6 of the Act, the appellant was liable to pay contribution to the provident fund on basic wages, dearness allowance, and retaining allowance (if any). To exclude any incentive wage from basic wage, it should have a direct nexus and linkage with the amount of extra output. Relying on **Bridge and Roof Co. (India) Ltd. vs. Union of India**, (1963) 3 SCR 978, it was submitted that whatever is payable by all concerns or earned by all permanent employees had to be included in basic wage for the purpose of deduction under Section 6 of the Act. It is only such allowances not payable by all concerns or may not be earned by all employees of the concern, that would stand excluded from deduction. It is only when a worker produces beyond the base standard, what he earns would not be a basic wage but a production bonus or incentive wage which would then fall outside the purview of basic wage under Section 2(b) of the Act. Since the special allowance was earned by all teaching and nonteaching staff of the respondent school, it has to be included for the purpose of deduction under Section 6 of the Act. The special allowance in the present case was a part of the salary breakup payable to all employees and did not have any nexus with extra output produced by the employee out of his allowance, and thus it fell within the definition of "basic wage".

5. The common submission on behalf of the appellants in the remaining appeals was that basic wages defined under Section 2(b) contains exceptions and will not include what would ordinarily not be earned in accordance with the terms of the contract of employment. Even with regard to the payments earned by an employee in accordance with the terms of contract of employment, the basis of inclusion in

Section 6 and exclusion in Section 2(b)(ii) is that whatever is payable in all concerns and is earned by all permanent employees is included for the purpose of contribution under Section 6. But whatever is not payable by all concerns or may not be earned by all employees of a concern are excluded for the purposes of contribution. Dearness allowance was payable in all concerns either as an addition to basic wage or as part of consolidated wages. Retaining allowance was payable to all permanent employees in seasonal factories and was therefore included in Section 6. But, house rent allowance is not paid in many concerns and sometimes in the same concern, it is paid to some employees but not to others, and would therefore stand excluded from basic wage. Likewise overtime allowance though in force in all concerns, is not earned by all employees and would again stand excluded from basic wage. It is only those emoluments earned by an employee in accordance with the terms of employment which would qualify as basic wage and discretionary allowances not earned in accordance with the terms of employment would not be covered by basic wage. The statute itself excludes certain allowance from the term basic wages. The exclusion of dearness allowance in Section 2(b)(ii) is an exception but that exception has been corrected by including dearness allowance in Section 6 for the purpose of contribution.

6. Attendance incentive was not paid in terms of the contract of employment and was not legally enforceable by an employee. It would therefore not fall within basic wage as it was not paid to all employees of the concern. Likewise, transport/conveyance allowance was similar to house rent allowance, as it was reimbursement to an employee. Such payments are ordinarily not made universally, ordinarily and necessarily to all employees and therefore will not fall within the definition of basic wage. To hold that canteen allowance was paid only to some employees, being optional was not to be included in basic wage while conveyance allowance was paid to all employees without any proof in respect thereof was unsustainable.
7. Basic wage, would not *ipso-facto* take within its ambit the salary breakup structure to hold it liable for provident fund deductions when it was paid as special incentive or production bonus given to more meritorious workmen who put in extra output which has a direct nexus and linkage with the output by the eligible workmen. When a worker produces beyond the base or standard, what he earns was not basic wage. This incentive wage will fall outside the purview of basic wage.
8. We have considered the submissions on behalf of the parties. To consider the common question of law, it will be necessary to set out the relevant provisions

of the Act for purposes of the present controversy.

“Section 2 (b): “Basic Wages” means all emoluments which are earned by an employee while on duty or (on leave or on holidays with wages in either case) in accordance with the terms of the contract of employment and which are paid or payable in cash to him, but does not include

- (i) The cash value of any food concession;
- (ii) Any dearness allowance (that is to say, all cash payments by whatever name called paid to an employee on account of a rise in the cost of living), house rent allowance, overtime allowance, bonus, commission or any other similar allowance payable to the employee in respect of his employment or of work done in such employment.
- (iii) Any presents made by the employer;

Section 6: Contributions and matters which may be provided for in Schemes. – The contribution which shall be paid by the employer to the Fund shall be ten percent. Of the basic wages, dearness allowance and retaining allowance, if any, for the time being payable to each of the employees whether employed by him directly or by or through a contractor, and the employees’ contribution shall be equal to the contribution payable by the employer in respect of him and may, if any employee so desires, be an amount exceeding ten percent of his basic wages, dearness allowance and retaining allowance if any, subject to the condition that the employer shall not be under an obligation to pay any contribution over and above his contribution payable under this section:

Provided that in its application to any establishment or class of establishments which the Central Government, after making such inquiry as it deems fit, may, by notification in the Official Gazette specify, this section shall be subject to the modification that for the words “ten percent”, at both the places where they occur, the words “12 percent” shall be substituted:

Provided further that where the amount of any contribution payable under this Act involves a fraction of a rupee, the Scheme may provide for rounding off of such fraction to the nearest rupee, half of a rupee, or quarter of a rupee.

Explanation I – For the purposes of this section dearness allowance shall be deemed to include also the cash value of any food concession allowed to the employee.

Explanation II. – For the purposes of this section, “retaining allowance” means allowance payable for

the time being to an employee of any factory or other establishment during any period in which the establishment is not working, for retaining his services.”

9. Basic wage, under the Act, has been defined as all emoluments paid in cash to an employee in accordance with the terms of his contract of employment. But it carves out certain exceptions which would not fall within the definition of basic wage and which includes dearness allowance apart from other allowances mentioned therein. But this exclusion of dearness allowance finds inclusion in Section 6. The test adopted to determine if any payment was to be excluded from basic wage is that the payment under the scheme must have a direct access and linkage to the payment of such special allowance as not being common to all. The crucial test is one of universality. The employer, under the Act, has a statutory obligation to deduct the specified percentage of the contribution from the employee’s salary and make matching contribution. The entire amount is then required to be deposited in the fund within 15 days from the date of such collection. The aforesaid provisions fell for detailed consideration by this Court in *Bridge & Roof* (supra) when it was observed as follows:

“7. The main question therefore that falls for decision is as to which of these two rival contentions is in consonance with s. 2(b). There is no doubt that “basic wages” as defined therein means all emoluments which are earned by an employee while on duty or on leave with wages in accordance with the terms of the contract of employment and which are paid or payable in cash. If there were no exceptions to this definition, there would have been no difficulty in holding that production bonus whatever be its nature would be included within these terms. The difficulty, however, arises because the definition also provides that certain things will not be included in the term “basic wages”, and these are contained in three clauses. The first clause mentions the cash value of any food concession while the third clause mentions that presents made by the employer. The fact that the exceptions contain even presents made by the employer shows that though the definition mentions all emoluments which are earned in accordance with the terms of the contract of employment, care was taken to exclude presents which would ordinarily not be earned in accordance with the terms of the contract of employment. Similarly, though the definition includes “all emoluments” which are paid or payable in cash, the exception excludes the cash value of any food concession, which in any case was not payable in cash. The exceptions therefore do not seem to follow any logical pattern which would be in consonance with the main definition.

8. Then we come to clause (ii). It excludes dearness allowance, house-rent allowance, overtime allowance, bonus, commission or any other similar allowance payable to the employee in respect of his employment or of work done in such employment. This exception suggests that even though the main part of the definition includes all emoluments which are earned in accordance with the terms of the contract of employment, certain payments which are in fact the price of labour and earned in accordance with the terms of the contract of employment are excluded from the main part of the definition of “basic wages”. It is undeniable that the exceptions contained in clause (ii) refer to payments which are earned by an employee in accordance with the terms of his contract of employment. It was admitted by counsel on both sides before us that it was difficult to find any one basis for the exceptions contained in the three clauses. It is clear however from clause (ii) that from the definition of the word “basic wages” certain earnings were excluded, though they must be earned by employees in accordance with the terms of the contract of employment. Having excluded “dearness allowance” from the definition of “basic wages”, s. 6 then provides for inclusion of dearness allowance for purposes of contribution. But that is clearly the result of the specific provision in s. 6 which lays down that contribution shall be 6-1/4 per centum of the basic wages, dearness allowance and retaining allowance (if any). We must therefore try to discover some basis for the exclusion in clause (ii) as also the inclusion of dearness allowance and retaining allowance (for any) in s. 6. It seems that the basis of inclusion in s. 6 and exclusion in clause (ii) is that whatever is payable in all concerns and is earned by all permanent employees is included for the purpose, of contribution under s. 6, but whatever is not payable by all concerns or may not be earned by all employees of a concern is excluded for the purpose of contribution. Dearness allowance (for examples is payable in all concerns either as an addition to basic wages or as a part of consolidated wages where a concern does not have separate dearness allowance and basic wages. Similarly, retaining allowance is payable to all permanent employees in all seasonal factories like sugar factories and is therefore included in s. 6; but house-rent allowance is not paid in many concerns and sometimes in the same concern it is paid to some employees but not to others, for the theory is that house-rent is included in the payment of basic wages plus dearness allowance or consolidated wages. Therefore, house-rent allowance which may not be payable to all employees of a concern and which is certainly not paid by all concern is taken out of the definition of “basic wages”, even though the basis of payment of house-rent allowance where it is paid is the contract of employment. Similarly,

overtime allowance though it is generally in force in all concerns is not earned by all employees of a concern. It is also earned in accordance with the terms of the contract of employment; but because it may not be earned by all employees of a concern it is excluded from "basic wages". Similarly, commission or any other similar allowance is excluded from the definition of "basic wages" for commission and other allowances are not necessarily to be found in all concerns; nor are they necessarily earned by all employees of the same concern, though where they exist they are earned in accordance with the terms of the contract of employment. It seems therefore that the basis for the exclusion in clause (ii) of the exceptions in s. 2(b) is that all that is not earned in all concerns or by all employees of concern is excluded from basic wages. To this the exclusion of dearness allowance in clause (ii) is an exception. But that exception has been corrected by including dearness allowance in s. 6 for the purpose of contribution. Dearness allowance which is an exception in the definition of "basic wages", is included for the purpose of contribution by s. 6 and the real exceptions therefore in clause (ii) are the other exceptions beside dearness allowance, which has been included through S. 6."

10. Any variable earning which may vary from individual to individual according to their efficiency and diligence will stand excluded from the term "basic wages" was considered in *Muir Mills Co. Ltd., Kanpur Vs. Its Workmen*, AIR 1960 SC 985 observing:

"11. Thus understood "basic wage" never includes the additional emoluments which some workmen may earn, on the basis of a system of bonuses related to the production. The quantum of earning in such bonuses varies from individual to individual according to their efficiency and diligence; it will vary sometimes from season to season with the variations of working conditions in the factory or other place where the work is done; it will vary also with variations in the rate of supplies of raw material or in the assistance obtainable from machinery. This very element of variation, excludes this part of workmen's emoluments from the connotation of "basic wages" ..."

11. In *Manipal Academy of Higher Education vs. Provident Fund Commissioner*, (2008) 5 SCC 428, relying upon Bridge Roof's case it was observed:

"10. The basic principles as laid down in Bridge Roof's case (supra) on a combined reading of Sections 2(b) and 6 are as follows:

- (a) Where the wage is universally, necessarily and ordinarily paid to all across the board such emoluments are basic wages.

- (b) Where the payment is available to be specially paid to those who avail of the opportunity is not basic wages. By way of example it was held that overtime allowance, though it is generally in force in all concerns is not earned by all employees of a concern. It is also earned in accordance with the terms of the contract of employment but because it may not be earned by all employees of a concern, it is excluded from basic wages.

- (c) Conversely, any payment by way of a special incentive or work is not basic wages."

12. The term basic wage has not been defined under the Act. Adverting to the dictionary meaning of the same in *Kichha Sugar Company Limited through General Manager vs. Tarai Chini Mill Majdoor Union, Uttarakhand*, (2014) 4 SCC 37, it was observed as follows:

"9. According to <http://www.merriamwebster.com> (Merriam Webster Dictionary) the word 'basic wage' means as follows:

1. A wage or salary based on the cost of living and used as a standard for calculating rates of pay
2. A rate of pay for a standard work period exclusive of such additional payments as bonuses and overtime.

10. When an expression is not defined, one can take into account the definition given to such expression in a statute as also the dictionary meaning. In our opinion, those wages which are universally, necessarily and ordinarily paid to all the employees across the board are basic wage. Where the payment is available to those who avail the opportunity more than others, the amount paid for that cannot be included in the basic wage. As for example, the overtime allowance, though it is generally enforced across the board but not earned by all employees equally. Overtime wages or for that matter, leave encashment may be available to each workman but it may vary from one workman to other. The extra bonus depends upon the extra hour of work done by the workman whereas leave encashment shall depend upon the number of days of leave available to workman. Both are variable. In view of what we have observed above, we are of the opinion that the amount received as leave encashment and overtime wages is not fit to be included for calculating 15% of the Hill Development Allowance."

13. That the Act was a piece of beneficial social welfare legislation and must be interpreted as such was considered in *The Daily Partap vs. The Regional Provident Fund Commissioner, Punjab, Haryana, Himachal Pradesh and Union Territory, Chandigarh*, (1998) 8 SCC 90.

14. Applying the aforesaid tests to the facts of the present appeals, no material has been placed by the establishments to demonstrate that the allowances in question being paid to its employees were either variable or were linked to any incentive for production resulting in greater output by an employee and that the allowances in question were not paid across the board to all employees in a particular category or were being paid especially to those who avail the opportunity. In order that the amount goes beyond the basic wages, it has to be shown that the workman concerned had become eligible to get this extra amount beyond the normal work which he was otherwise required to put in. There is no data available on record to show what were the norms of work prescribed for those workmen during the relevant period. It is therefore not possible to ascertain whether extra amounts paid to the workmen were in fact paid for the extra work which had exceeded the normal output prescribed for the workmen. The wage structure and the components of salary have been examined on facts, both by the authority and the appellate authority

under the Act, who have arrived at a factual conclusion that the allowances in question were essentially a part of the basic wage camouflaged as part of an allowance so as to avoid deduction and contribution accordingly to the provident fund account of the employees. There is no occasion for us to interfere with the concurrent conclusions of facts. The appeals by the establishments therefore merit no interference. Conversely, for the same reason the appeal preferred by the Regional Provident Fund Commissioner deserves to be allowed.

15. Resultantly, Civil Appeal No. 6221 of 2011 is allowed. Civil Appeal Nos. 396566 of 2013, Civil Appeal Nos. 396768 of 2013, Civil Appeal Nos. 396970 of 2013 and Transfer Case (C) No.19 of 2019 are dismissed.

.....J.
(Arun Mishra)

.....J.
(Navin Sinha)

New Delhi,
February 28, 2019

BAI President have immediately sent letter to the Hon'ble Minister of State for Labour & Employment (Independent Charge), which is produced as follows.

Ref.: 848 /M/2018-19 dated March 19, 2019

To,
Shri Santosh Kumar Gangwar,
Hon'ble Minister of State for Labour & Employment
(Independent Charge),
Ministry of Labour & Employment,
Govt. of India,
Shram Shakti Bhavan, Rafi Marg
New Delhi-110 001

Respected Shri Santosh Kumar Gangwar,

**Sub: Implementation of the Supreme Court Judgement dated 28th February 2019,
on inclusion of allowances for Provident Fund Contribution.**

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Builders, founded in 1941, it has more than 18,000 business entities as members through its 180 plus Centres (Branches) throughout the country. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the Construction Industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

We take this opportunity to refer to the recent Supreme Court Order on 28th February 2019, which has clarified that certain allowances paid uniformly normally and

ordinarily should all come within the definition with basic wages under the provisions of 'Employees Provident Fund and Miscellaneous Provisions Act, 1952'.

BAI on behalf of its members understand that this clarification by the Apex Court will not be treated as a non-compliance by the industry and PF Authority will not demand contributions beyond the wage ceiling of Rs.15,000/-.

Further, it is necessary that the Law is implemented uniformly across the country with an intent to support the ease of doing business momentum. We therefore request that the Supreme Court Order is implemented only prospectively. In case of retrospective implementation of the Order will lead to major financial and administrative implications not only for Employers but also for Employees.

We sincerely request you to kindly consider our request favourably in the interest of the construction Industry, Workmen, Labours, Employers and ease of doing business momentum which is much needed by our country.

A detailed note on the rational for prospective implementation of the Supreme Court Order is enclosed herewith for your kind perusal.

Copy to:

- i) Shri. Sunil Barthwal" IAS,Central P.F. Commissioner.
- ii) Shri Heeralal Samariya,Secretary (L&E), Ministry of Labour & Employment.

Justification for prospective implementation of the Supreme Court Judgment dated 28th February 2019 on inclusion of allowances for Provident Fund Contribution

Ref.: 848 /M/2018-19 dated March 19, 2019

To,
Shri Santosh Kumar Gangwar,
Hon'ble Minister of State for Labour & Employment
(Independent Charge),
Ministry of Labour & Employment, Govt. of India,
Shram Shakti Bhavan, Rafi Marg, New Delhi-110 001
Respected Shri Santosh Kumar Gangwar,

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BAI on behalf of its members understand that this clarification by the Apex Court will not be treated as a non-compliance by the industry and PF Authority will not demand contributions beyond the wage ceiling of Rs.15,000/-.

Copy to:

- i) Shri. Sunil Barthwal,, IAS,Central P.F. Commissioner.
- ii) Shri Heeralal Samariya,Secretary (L&E), Ministry of Labour & Employment.

Thanking You,

Yours faithfully,



A. PUHAZHENDI
PRESIDENT

BUILDERS' ASSOCIATION OF INDIA

Thanking You,

Yours faithfully,



A. PUHAZHENDI
PRESIDENT

BUILDERS' ASSOCIATION OF INDIA


भारत का राजपत्र
The Gazette of India

असाधारण
 EXTRAORDINARY
 भाग II—खण्ड 3—उप-खण्ड (i)
 PART II—Section 3—Sub-section (i)
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नई दिल्ली, शुक्रवार, मार्च 16, 2018/फाल्गुन 25, 1939
NEW DELHI, FRIDAY, MARCH 16, 2018/PHALGUNA 25, 1939

MINISTRY OF LABOUR AND EMPLOYMENT

NOTIFICATION

New Delhi, the 16th March, 2018

G.S.R. 235(E) .- Whereas certain draft rules further to amend the Industrial Employment (Standing Orders) Central Rules, 1946 were published, as required by sub-section (1) of Section 15 of the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), vide notification of the Ministry of Labour and Employment number G.S.R. 17(E), dated the 8th January, 2018, in the Gazette of India, Extraordinary, Part II, section 3, sub-section (i), for inviting objections or suggestions from the persons likely to be affected thereby on or before the expiry of a period of thirty days from the date of publication of the said notification in the Official Gazette;

And whereas the copies of the said Gazette were made available to the public on the 8th January, 2018;

And whereas the objections or suggestions received from the public on the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 15 of the Industrial Employment

(Standing Orders) Act, 1946 (20 of 1946), the Central Government hereby makes the following rules further to amend the Industrial Employment (Standing Orders) Central Rules, 1946, namely:-

1. (1) These rules may be called the Industrial Employment (Standing Orders) Central (Amendment) Rules, 2018.
- (2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Industrial Employment (Standing Orders) Act, 1946 (20 of 1946), in Schedule, in item 1, for the words "fixed term employment workmen in apparel manufacturing sector;"; the words "fixed term employment" shall be substituted;
3. In the Industrial Employment (Standing Orders) Central Rules, 1946,-
 - (a) after rule 3, the following rule shall be inserted, namely:-

“(3A) No employer of an industrial establishment shall convert the posts of the permanent workmen existing in his industrial establishment on the date of commencement of the Industrial Employment (Standing Orders) Central (Amendment) Rules, 2018 as fixed term employment thereafter.”.
 - (b) in rule 5, for item (6A) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“(6A) Number of fixed term employment workmen;”;
 - (c) in Schedule 1,-
 - (i) in paragraph 2,-
 - (A) in sub-paragraph (a), for item (3A) and the entries relating thereto, the following item and entries shall be substituted, namely:-

“(3A) fixed term employment workmen”;

- (B) for sub-paragraph (h), the following sub-paragraph shall be substituted, namely:-

‘(h) A “fixed term employment workman” is a workman who has been engaged on the basis of a written contract of employment for a fixed period:

Provided that-

- (a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent workman; and
- (b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute’;

- (ii) in paragraph 13, for sub-paragraph (2), the following sub-paragraph shall be substituted, namely:-

“(2) Subject to the provisions of the Industrial Disputes Act, 1947 (14 of 1947),-

- (i) no notice of termination of employment shall be necessary in the case of temporary workman whether monthly rated, weekly rated or piece rated and probationers or badly workmen; and
- (ii) no workman employed on fixed term employment basis as a result of non-renewal of contract or employment or on the expiry of such contract period without it being renewed, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that the services of a temporary workman shall not be terminated as a punishment unless he has been given an opportunity of explaining the charges of misconduct alleged against him in the matter prescribed in paragraph 14.”;

- (d) (i) in Schedule 1A, in paragraph 3,-

(A) in sub-paragraph (a), after item (iii), the following item shall be inserted, namely:-

“(iiia) fixed term employment;”;

- (B) after sub-paragraph (d), the following sub-paragraph shall be inserted, namely:-

‘(da) A “fixed term employment” workman is a workman who has been engaged on the basis of a written contract of employment for a fixed period:

Provided that-

- (a) his hours of work, wages, allowances and other benefits shall not be less than that of a permanent workman;
- (b) he shall be eligible for all statutory benefits available to a permanent workman proportionately according to the period of service rendered by him even if his period of employment does not extend to the qualifying period of employment required in the statute.’;

- (ii) in paragraph 13, for sub-paragraph (b), the following sub-paragraph shall be substituted, namely:-

“(b) Subject to the provisions of the Industrial Disputes Act, 1947 (14 of 1947),-

- (i) no notice of termination of employment shall be necessary in the case of temporary and badli workmen; and
- (ii) no workman employed on fixed term employment basis as a result of non-renewal of contract or employment or on the expiry of such contract period without it being renewed, shall be entitled to any notice or pay in lieu thereof, if his services are terminated:

Provided that a temporary workman, who has completed three months continuous service, shall be given two weeks notice of the intention to terminate his employment if such termination is not in accordance with the terms of the contract of his employment:

Provided further that when the services of a temporary workman, who has not completed three month’s continuous

service, are terminated before the completion of the term of employment given to him, he shall be informed of the reasons for termination in writing and when the services of a badli workman are terminated before the return to work of the permanent incumbent or the expiry

of his (badli's) term of employment, he shall be informed of the reasons for such termination in writing."

[F.No. S-12011/1/2016-IR(PL)]
KALPANA RAJSINGHOT, Jt. Secy.

Note:- The principal rules were published in the Gazette of India vide notification number LR 11 (37), dated the 18th December, 1946 and were lastly amended by notification G.S.R. No.976(E), dated the 7th October, 2016.

(v) **Labour Code on Social Security, 2018**

Draft Model Welfare Scheme for Building and Other Construction Workers

Pursuant to the directions of the Hon'ble Supreme Court dated 4th July, 2018 subsequent to the directions contained in the Judgment dated 19th March, 2018 and 7th March, 2018 in Writ Petition (Civil) No. 318 of 2006, Government of India, Ministry of Labor & Employment, Office of the Director General (Labour Welfare) place draft Model Scheme for welfare of Building and Other Construction Workers on the official website of the Government of India, Ministry of Labour and Employment for perusal and comments of the General Public and stakeholders for suggestions / comments / inputs on or before 10th August 2018.

Draft Model Welfare Scheme as modified upto 13.7.18

Life and disability cover:

The State Welfare Board should provide minimum coverage of Rs. 4 Lakh, in case of accidental death, and Rs. 2 Lakh in the event of natural death to the dependent(s) of the deceased beneficiary, besides disability benefits.

Alternately, the State Welfare Board may cover BOC workers between 18 years and 50 years under Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY) and Pradhan Mantri Suraksha Bima Yojana (PMSBY), by making payment of 50 per cent of the total contribution of premium amounting to Rs.171 per worker per annum, as the remaining 50 per cent will be borne by the Central Government under the converged PMJJBY/PMSBY Schemes. These schemes provide coverage of Rs.2 lakhs in case of natural death and Rs. 4 lakhs in case of accidental death, besides disability benefits as per this scheme.

Compensation should be disbursed in a definite time frame not exceeding 60 days from the date of death of the beneficiary.

Health and Maternity Cover:

A suitable scheme should be formulated to extend health & maternity benefits to BOC workers and their families through ESIC. The State BOC Welfare Boards may make the contributions as required to bring BOC workers under the ESIC fold.

Till the time such a scheme is formulated and modalities worked out thereof following benefits should be provided to BOC workers:

- (i) Reimbursement of expenses up to a prescribed limit in case of major diseases as listed by the Ministry of Health & Family Welfare.
- (ii) Paid maternity leave to registered construction workers ranging from 90 days to 26 weeks for up to two deliveries.
- (iii) Rs.6000/-per delivery for up to two deliveries to the wife of the registered construction workers, which will be in addition to any other benefit received from any Government Scheme in this regard.

Education:

A minimum financial assistance for education of wards of the beneficiaries should be given at the following rates per child per annum:

- a. Class 1 to 5 at the rate of Rs. 1800
- b. Class 6 to 10 at the rate of Rs 2400,
- c. Class 11 to 12 at the rate of Rs 3,000
- d. Graduation courses at the rate of Rs 10,000,
- e. Post-Graduation courses at the rate of Rs 12,000
- f. ITI/Vocational course/Professional Course at the rate equivalent to annual fee of Govt institutes/colleges

It should be ensured that the beneficiary ward maintains 50% of the annual attendance in the class.

This is besides the Special Centres that the State should open for migrant workers.

The above benefits will be in addition to any other benefit received from any Government Scheme in this regard.

It was felt that this amount is sufficient to incentivize the wards to go to school and encourage live registration of workers.

Housing:

Section 60 direction of the Central Government dated 11.7.17 in regard to provision of transit accommodation / hostel / labour shed / night shelter etc. are reiterated, the salient features of which are quoted below:

- (A) The BOC workers are predominantly migratory who move from one place to other in search of work. During the period of transit or until they find work, they face great hardship due to lack of basic facilities like transit shelters, toilets etc., in and around the area common for their gathering in a city or metro.
- (B) In order to mitigate the hardship that a BOC worker faces, the States are advised to take proactive steps to facilitate transit accommodation/labour shed cum night shelter, mobile toilets and mobile crèches to BOC workers in the areas of their concentration prior to their finding work.
- (C) While incurring expenditure on such facilities due care has to be taken so as to ensure that sufficient funds remain available for providing social security to BOC workers on a sustained basis, which is the first and foremost objective of the BOCW Act. Social security benefits will hold precedence over all other existing benefits and that only after meeting these priority expenses, any balance of fund may be utilised for giving additional benefits under section 22 (h) of the Act.
- (D) Besides, the following conditions should be adhered to:
- The land should belong to the Government/ Local Body;
 - It should be at a Central location;
 - Priority should be given to Tier I & II cities;
 - It must be used exclusively for BOC Workers;
 - A Rent/User-fee must be charged and a record/register for the same must be maintained;
 - The building must be maintained properly and all amenities provided for the users;
 - The cost of providing transit accommodation, mobile toilet facilities and mobile crèche facilities must not exceed 10 per cent of the total expenses incurred during that financial year; and
 - It must be ensured that it is not contrary to the provisions contained in Section 33, 34, 35 and 36 of the Act and the Rules framed there under wherein it is the employer's obligation to provide temporary accommodation and other facilities to the BOC workers within the work site or nearby it. Thus it is to be ensured that the transit accommodations and other facilities are not used in lieu of accommodations and other provisions to be facilitated by the employer.

The above provision was objected to by the representatives of NCC and BMS, as they were of the view that transit accommodation/labour shed/night shelter etc should not

be made out of the cess fund.

In light of the above, it is stipulated that not more than 10 per cent of the cess amount collected in a year should be spent on this provision, including for giving loans/ advances to the BOC workers as per Section 22 (c) of the BOCW Act.

Skill development:

There should be convergence of the skill development activities of the BOCW Board with those of the State Skill Development Missions/Ministry of Skill Development and Entrepreneurship and National Skill Development Corporation so as to maximize benefits to the BOC workers and their dependents and help them upgrade their skills or diversify by acquiring new set of skills.

During such training period the worker should be given financial assistance in the form of stipend & training expenses and such training may be limited to once in 3 years. Skill development may also be provided to the dependents of a BOC worker but that may be without any stipend. A cap of 10% of cess collected in a financial year may be kept on the expenditure under this provision.

Pension:

There was difference of opinion regarding pension benefits as some members of the Committee were apprehensive that this would constitute a permanent liability which States may not be able to sustain in the long term. It was also pointed out by PFRDA / LIC representative that a corpus of more than Rs 1 lakh per worker is required to sustain a pension of Rs 1000 per month. One of the views in the Committee was to set side 20% of the cess fund, which at present would come to around Rs.6000 crores (i.e., 20% of the existing cess fund of approx. Rs.30,000 crore), to provide pension of Rs.1000 per month to around 6 lakh workers. The figure of 6 lakhs is based on the premise that around 2% of approx 3 crore registered BOC workers would be of pensionable age. It was decided that full data from the states should be collected so as to arrive at any final decision in this regard.

The sub-committee constituted for this purpose would also explore the feasibility of extending the coverage of Atal Pension Yojana or similar scheme suitable to BOC workers in consultation with PFRDA while keeping in mind its sustainability in the long run e.g. for BOC workers in the age group of 18-40 years, the State Welfare Board may pay 50% of the contribution to the Atal Pension Yojana scheme, subject to a maximum of Rs.1000 per month. The remaining 50% contribution will have to be given by the worker.

It is also clarified that those BOC workers availing benefits from ESIC and EPFO through matching contributions from employer and employee (i.e. the organized workers), will not be entitled to such benefits under the welfare schemes under the BOCW Act, 1996.

The Draft Labour Code in its last para mentioned that "It is also clarified that, those BOC Workers availing benefits from ESIC and EPFO through matching contributions from employer and employee (ie. The organized workers), will not be entitled to such benefits under the welfare schemes under the BOCW Act, 1996"

No.BAI/DO/20/2018 Date: 25th July 2018

Shri Heeralal Samariya
Secretary to the Government of India,
Ministry of Labour & Employment,
Shram Shakti Bhawan, Rafi Marg
NEW DELHI - 110 001

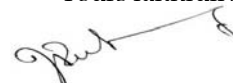
Sub: Regarding Social Security Code - Inviting Comments

Respected Sir,

Thanking you,

Your esteemed Ministry have hosted the Social Security Code on the website and invited comments from the Trade Unions / Associations / Chambers by 31st July 2018.

Yours faithfully,



A. PUAZHENDI

President

Builders' Association of India

We are pleased to submit the Comments/ Suggestions on the Draft Labour Code on Social Security 2018.

Comments/suggestions submitted by Builders' Association of India in the matter of Labour Code on Social Security, 2018

The present Labour Code on Social Security published in March, 2018 is without considering the various suggestions proposed by the various employers' organizations when previous Labour Code on Social Security was published on 16/03/2017. The present Labour Code is by and large a copy of the previous Labour Code on Social Security.

industrial please or to maintain cordial relationship between employers and employees. The above provisions are not at all helpful to achieve this object. When an employer is imprisoned for certain lapses for long periods, his employees would render unemployed and lead their entire family to poverty and starvation. Having regard to these aspects, we would suggest that Sec. 156 and 7th schedule should be completely scrapped.

A perusal of Labour Code on Social Security, 2018 put both employees and employers in panic, especially Sec. 156 and 7th schedule. These provisions are intended to treat the employers as hardcore terrorist and put the employers behind the bars for petty lapses. The prime object of beneficial labour legislation shall be to maintain

If the government is not convinced with our above submissions, we would like to submit that the various punishments envisaged in section 156 and 7th schedule may be reduced or modified as stated in the appendix to this representation.

CHANGES/AMENDMENTS SUGGESTED TO THE LABOUR CODE ON SOCIAL SECURITY, 2018 (2.0 Draft Version 2.0)

Sl. No.	Section/Sub-Section/Clause/ Provision of the Code	Issue/Problem identified in the clause	Proposed Change/correction that should be made	Reason for proposed change
1	Section/Sub-Section/ Clause/ Provision of the Code	Contributions: • By Employer: 17.5% • By Employee: 12.5% • For Gratuity: 2% • Admn. Charges: 4% These are maximum envisaged figures.	For the construction industry the total contribution payable by employer is 36% ONLY!! The fact remains that the employer/ contractor ends up paying construction labor share also. No construction labor is willing to contribute their share. Thus the total contribution is too high and will	It is proposed that construction labor should be treated to belong to SEC-IV category and hence the employee share should be paid by state. The employer has been paying CESS and the employer contribution

Sl. No.	Section/Sub-Section/Clause/ Provision of the Code	Issue/Problem identified in the clause	Proposed Change/correction that should be made	Reason for proposed change
			<p>increase the construction cost & result in avoiding compliance.</p> <p>It must be understood that the construction labor is working in households also and there is no way these labor would ever be covered by social security scheme unless alternate methods are adopted.</p>	<p>should be met from this fund.</p> <p>We propose that CESS should be continued and the employer liability towards construction labor should be met from this fund.</p> <p>Alternately</p> <p>If the government finds it difficult to bear the employee share, it can be incentivized that only those construction labor will get the benefit of employer share (managed through cess fund) who first contribute there share. Thus once the construction labor share is credited to their SS fund, the employer share can be released into his Social Security account.</p>
2	SEC.2.10, 2.115,18 & SECS.88 TO 93	Outsourcing various functions of the authorities under the Code will not be in the interest of the beneficiaries.	It is, suggested to delete Sec. 2.10, 2.115, 18 and other relevant Sections in Part K of the Code (Secs. 88 to 93), whereby it is proposed to grant licence to any organisation or person to act as intermediate agencies	Facilitation Centres manned by private intermediate agencies provided under Sec.18, Benefit Disbursement Agency defined in Sec. 2.11, Service Delivery Agency in Sec. 2.115 and other private agencies referred to in Part K of the Code, viz. Fund Manager Agency, Point of Presence Agency and Record Keeping Agency are per se not beneficial to the beneficiaries of the Code. This mode of outsourcing/ privatization will lead to large scale corruption and swindling of the funds collected from the employers and poor employees.
3	Sec.3.3 (g) & (h)	Representation of workers and employers in National Council	The representation of workers (g) and employers (h) provided in this section only 2 each. This is to be increase to 5 each.	The representation of 2 each from the side of workers and employers are not sufficient to represent these two categories in the National Council. Hence the changes are suggested.

Sl. No.	Section/Sub-Section/Clause/ Provision of the Code	Issue/Problem identified in the clause	Proposed Change/correction that should be made	Reason for proposed change
4	Secs. 11.1, 18 & 114.1	Role of Local Authorities and private parties under the Code	These Sections may be modified, entrusting the above functions to the Officers of the concerned Labour Departments, or in the alternative separate Sections may be created under the Authorities/Organisations under the Code for these purposes, instead of conferring the said powers on Local Authorities or the private agencies.	The Central Government and all the State Governments are having independent Labour Departments, headed by IAS officers and supported by efficient staff, who are competent to function as Registering Authority under Sec.11.1 and also to man the Facilitation Centres under Sec. 18, read with Sec.114.1 of the Code.
5	Sec. 11.8	Self registration of employees	Self registration of employees shall be done after due verification of the particulars furnished by him or her after conducting necessary enquiries by the Registering Authorities.	Self registration by employees is likely to be misused against employers. Therefore adequate safeguard to be provided.
6	Sec. 39.3	Additional interest	The additional interest chargeable under Sec. 39.3 at 1.5% for every month or part of a month on the amount of contribution from the date on which such contribution was dues to the date on which such contribution is actually paid may be deleted.	Already there are other provisions like Sec. 39.1 and 39.2 for recovery of interest. Hence Sec. 39.3 would be an additional burden of the employers.
7	Sec. 42.1	Administrative charge to be included in Sec. 42.1	A clarificatory provision should be inserted in Sec. 42.1 to the effect that administrative charges are included in the assessment of contribution as per the provisions of this Section.	In the absence of a clarificatory provision there will be an additional liability of administrative charge on the principle employer.
8	Secs. 94.1 & 95.3	Exemption of establishments / employees	<p>a) The second proviso to Sec. 94.1 of the Code, no exemption shall be granted, unless the establishment employs at least 100 employees. There is no rationale in prescribing such qualifying number of employees for the purpose of exemption. Therefore, this proviso may be deleted.</p> <p>b) It is necessary to exempt the newly set up establishments during the initial infant period of one year from the date of its inception and its employment strength is less than 50 persons.</p> <p>c) Minimum qualifying service is necessary for the coverage of employees under the Code. It would be only reasonable to prescribe six months continuous</p>	Newly established establishments should be given some concessions by exempting them from the purview of the Labour Court. The suggestions stated clear is for such establishments survival.

Sl. No.	Section/Sub-Section/Clause/ Provision of the Code	Issue/Problem identified in the clause	Proposed Change/correction that should be made	Reason for proposed change
			<p>service or 120 days actual work within a period of six months for this purpose.</p> <p>d) The portion of contribution payable by an employer under Sec.95.3,in respect of an exempted establishment and employees shall be specified with clarity</p>	
9	Sec. 117.1	Time limit for assessment of dues	<p>The time limit for claiming contribution may be fixed at three years instead of five years by modifying the first proviso to section 117.1 as follows;</p> <p><i>"Provided that no such order shall be passed in respect of a period beyond three years from the end of the financial year during which the contribution or Cess had become payable, except in cases where the State Board may allow":</i></p>	Five years is not a reasonable time limit for assessment of contribution as it may not be possible for retaining documents/records beyond the period of three years.
10	Sec.121.1 to 121.3	When there are other provisions for imposition of penal interest and initiation of prosecution, there no need for imposition of damages	<p>If the government is keen on retaining Secs. 121.1 to 121.3 in the Code, for any other justifiable reason, the amount of interest payable/paid under Sec.39 may be adjusted/deducted from the total amount of damages ,by incorporating the following proviso to Sec. 121.1</p> <p><i>"Provided that the amount of interest paid or payable by the assessee under Sec.39, shall be adjusted or deducted from the damages to be determined under this Section or any other Sections of the Code"</i></p>	Imposition of damages under Sec 121 is penal in nature. When there are provisions for imposition of penal interest under Sec.39 and prosecution under Sec.156 ,Secs.121.1 to 121.3 and Sec.123.5 of the Code, cannot be justified ,and hence the said provisions for damages shall be deleted or modified as suggested.
11	Sec. 123.6 & 125.7	Depositing the amount ordered before the Appellate Authority.	<p>Depositing the amount ordered against an assessee with the Commissioner under Sec 124.6 and with the State Board under Sec. 125.7, and producing a certificate to that effect along with memorandum of appeal filed before the Appellate Officer or the Tribunal, is a cumbersome procedure. Therefore, Sec. 123.6 & 125.7 may be modified ,so as to make the deposit with the Appellate Officer or the Tribunal as the case may be, while filing appeal under these Sections. It is also suggested to fix the amount to be deposited at 25% of the amount ordered.</p>	There is no justification in compelling the aggrieved assessee to deposit the full amount ordered when there is valid contentions in the appeal. Therefore the suggestions are proposed.

Sl. No.	Section/Sub-Section/Clause/ Provision of the Code	Issue/Problem identified in the clause	Proposed Change/correction that should be made	Reason for proposed change
12	Secs.124.1 & 124.2	Prohibition of certain appeals	As per Secs. 124.1 and 124.2, no appeal is permitted against an order of exemption under Sec.94, recovery proceedings under Secs.137,138,139 &140 and order of search or seizure under Sec.91 of the Code. There is no justification in denying opportunity to file such appeals and hence Secs.124.1 & 124.2 shall be deleted. The powers should be conferred on the Social Security Appellate Tribunal, constituted under Sec. 129 of the Code, to entertain these appeals	The ordinary officers or the authorities are not competent to decide various issues judiciously. Therefore all issues should be left for the judicial consideration of Social Security Appellate Tribunal constituted under section 129 of the Code.
13	Secs.159.1	Imposition of fine	It is necessary to provide a third proviso to Sec. 156.1 <i>"Provided further that these provisions shall not be invoked for imposition of fine in case where in addition to contribution under section 20, administrative charges under Sec. 38, interest under Sec. 39 and damages under section 121 have been recovered or paid or total of these amounts shall be deducted from the fine imposed under the provisions of this Section."</i>	Imposition of penalties under different sections of this Code will amount to imposition of double punishment. Hence these changes are suggested.

Steel Matter

Rising Steel Prices – BAI takes cognizance

Steel prices have seen a steep increase since December 2017. BAI is regular invitee to the “Steel Consumers’ Council Meeting” convened regularly by ‘Joint Plant Committee’, constituted in 1964 by the Union Ministry of Steel, Government of India for formulating guidelines for production, allocation, pricing and distribution of iron and steel materials. The 27th Steel Consumers’ Council meeting is scheduled to be held on 29th June 2018, Bengaluru, which will be chaired by the Hon’ble Union Minister of Steel. Mr. A. Puhazhendi, President, BAI has addressed a letter to Joint Plant Committee, so that BAI’s concerns can be discussed in the 27th Steel Consumers’ Council meeting. The letter is printed herein below.

Ref: 127/J/2018-19 dated June 13, 2018

Mrs. Bimla Negi
Regional Officer,
Joint Plant Committee
301-306, Aurobindo Place,
Hauz Khas, New Delhi 110 016

Respected Madam,

Sub: Abnormal increase in Steel price for the last six months

Thank you for inviting us for the 27th Steel Consumers’ Council Meeting of the Ministry of Steel under the Chairmanship of the Hon’ble Minister of Steel, Government of India.

Builders’ Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Steel is one of the basic material required for any type of construction. Construction Industry consumes 33% of steel produced in the country such as bars and rods called “long product”. Any upward price increase in steel affects its fortune adversely as construction contract being fixed time fixed price. It should also be noted that, any slowdown in Construction Industry has cascading effect on more than 250 industries with which it has forward and backward linkages.

Madam, the Government of India has rightly understood the need of providing shelter to each Indian and therefore brought ‘Affordable Housing’ concept in each cities / towns of the country. Members of Builders’ Association of India (BAI) are too eager to be part of this endeavor of the Government and support its aim of providing ‘Affordable Housing’ with minimum cost to the

deserving people. Madam, in addition to the construction of ‘Affordable Houses’, the Government of India have ambitious plan of constructing **Smart Cities, Airports, Seaports, Railwaylines, Bridges** etc. etc., which will also have a negative impact if the Steel price is not brought into control.

The price of Steel, particularly used for construction purpose have gone up by 33% in the last six months, in almost all cities, making it difficult for the contractors / builders to complete the project at the executed price.

Further, the abnormal rise in Steel price will slowdown, if not hamper the construction of affordable houses and even may derail the noble purpose of the Government. This will also affect the employment of a large number of skilled and unskilled workers as Construction Industry is the second largest employer after agriculture.

Madam, therefore, we request you to kindly prevail upon the Steel Manufacturers to sell Steel at reasonable price, so that the Construction Industry can sustain the growth and thereby add to the expected GDP envisaged by the Central Government.

Thanking you,

Yours truly,



A. PUHAZHENDI
President
Builders’ Association of India

On the sidelines of the meeting Mr. A. Puhazendi, President, BAI interacted with the Hon'ble Minister, wherein he drew the attention of the Hon'ble Minister to the problems of the building and construction industry vis-à-vis high steel prices. Subsequently Mr. A. Puhazendi addressed another letter to the Hon'ble Minister, which is printed herein below.

Ref: 193/J/2018-19 dated July 5, 2018

**ShriChaudharyBirender Singh
Hon'bleUnion Minister of Steel,
Government of India,
Room No.192, UdyogBhawan,
Rafi Marg, NEW DELHI.**

Respected Sir,

Sub: JPC Meeting held at Bangalore on 29th June 2018

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

At the outset, we express our sincere appreciation and admiration to you and your team of officials for holding 27th Steel Consumers' Council Meeting. The meeting was well organized and the participants were happy about your briefing of Steel Industries' performance.

Sir, Construction Industry is the second largest industry in India after agriculture. It accounts for about 15% of the GDP and it employs more than 50 million workers directly and indirectly. It has forward and backward linkages with more than 250 allied industries.

Sir, Construction Industry consumes around one-third of the total steel manufactured by the Steel Manufacturers. The Steel used by the Construction Industry is called 'long products'.

Sir, Steel prices were going on at a stable rate for the last two to three years and all of a sudden, the price of 'long products', used by the Construction Industry, started moving abnormally upward. Sir, we strongly feel, there is no reason warranting to such a steep price increase, as there was no sizeable increase in input cost nor there was a bigger demand from the industry.

Sir, Construction Contractors, both in Government and Private Contracts work with Fixed Term and Fixed Price. Any increase in the price of construction materials, will therefore have an implication at the total value of the contract as most the Department has dispensed with reimbursement of price escalation clauses.

Sir, the price increase of 'long products' or 'steel rods' is in the range of 30% to 50% in most of the cities and the price rise have been severely affected in the Southern States. BAI express its apprehension that, the price increase is due to the concerted arrangement by the Steel Manufacturers, as there was a uniformity in price increase manufactured by all Steel Manufacturers. In other words, price increase was not due to the demand supply mismatch, where as it was due to the handiwork of a few industrialists with a view to profiteering.

Sir, we are sure that, you also will agree with us that, Construction Industry has recorded its lowest growth rate for the last 3 to 4 years barring the road construction. In this scenario, it is difficult to fathom as to how Steel prices have gone up to this level, as it has created havoc in the estimation and actual execution of the contracts.

Sir, to the pointed question of the undersigned during the meeting held at Bangalore on 29th June 2018, Ms. RichikaChoudhary, Hon'bleJoint Secretary, Steel Ministry, have informed that, a Committee is formed to look into the Steel price increase, particularly this Committee is checking the 'profiteering' aspect of the Steel Manufacturers.

Sir, it is surprising to note that, even after the gap of nearly 10 months, the Government of India, who has access to the data like input cost, operating profit, production cost, tax impact etc. etc., are still could not find the reason for such abnormal steel price increase. The unwarranted abnormal steel price increase have resulted unemployment of millions of workers engaged in the Construction Industry, as the contractors have either shut down or brought down the pace of construction. Similarly, several lakhs of Civil Engineers neither get a suitable job nor the Construction Industry scenario is conducive for self-employment. It may also be worthwhile to be pointed out here that, any slackness in Construction Industry will affect the fortunes of more than 250 industries, which has forward and backward linkages with Construction Industry. The abnormal steel price increase will also affect the Affordable Housing, Make in India, Smart City, Major Infrastructure Projects and many flagship projects of the Central Government.

We, therefore sincerely request to the Hon'ble Minister to look into the abnormal steel price increase and prevail upon the Steel Manufacturers to bring down the Steel Price, otherwise it will affect the vehicle of economic development of the country.

Through this letter, we also seek your personal audience on any venue, date and time convenient to you.

Thanking you,

Copy to: (1) Shri Vishnu Deo Sai
Hon'ble Minister of State
Union Ministry of Steel,
Room No.145, Udyog Bhawan,
Rafi Marg, New Delhi

(2) Ms. Richika Choudhary
Hon'ble Joint Secretary,
Union Ministry of Steel,
Udyog Bhawan,
Rafi Marg, New Delhi

Mr. A. Puhazhendi, President, BAI has continued to engage Government of India in highlighting the high steel prices and its negative effects on the Indian building and construction industry, by addressing another letter, which is printed herein below

Ref. : 336/A/2018-19 dated August 27, 2018.

Shri Chaudhary Birender Singh
Hon'ble Union Minister of Steel,
Government of India,
Room No.192, Udyog Bhawan,
Rafi Marg, NEW DELHI.

Respected Sir,

Sub: Abnormal increase in Steel price (Rods) in the last six months.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Further, to our letter No.193/J/2018-19 dated 5th July 2018 (copy enclosed) on the above subject and also taking up the matter personally with you during the 27th Steel Consumers' Council Meeting of the Ministry of Steel, held on 29th June 2018, at Bangalore, we once again request you to rein in Steel Manufacturers, who have increased the Steel price, used for construction, for the last 9 months, without any corresponding increase in the input cost.

Sir, Construction Industry is in a standstill position due to various factors and the major factor is the increase of price of construction materials, particularly Steel and Cement. **The surprising fact about Steel price increase**

is, there is no corresponding increase in any of the input or raw material used in the production of Steel. The slowdown in Construction Industry has a huge effect in the GDP growth of the country and also rendered lakhs of workers unemployed.

BAI strongly feel, the Steel price increase is with the motive of 'profiteering' by the Steel Manufacturers, where the intervention of your Ministry is earnestly solicited. We also would like to know the finding of the Committee appointed by you to enquire into the reason for Steel price increase.

Sir, your kind intervention is earnestly requested for reviving the fortune of Construction Industry, which is already showing negative growth.

Once again we request you to kindly look into the matter

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President
Builders' Association of India

Yours faithfully,



A. PUHAZHENDI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

Members from Kerala have informed Headquarter about the insistance of a few Government department to use only branded steels recommended by the department. The members also requested BAI headqurter to take up the matter with BIS to remove this clause enabling the contractors to use any steel branded with BIS certification.

In this regard, BAI have represented the matter to BIS and achieved relief for the contractors.



**Government of Kerala
Finance Inspection (Technical) Department**

Circular

No.8/2016/Fin

Dated, Thiruvananthapuram, 4th February, 2016

Sub: Use of Standard Cement and Steel in public works in various Governmental departments/ PSUs/ Autonomous Bodies, Agencies accredited by Government for entrusting works – reg :

1. The practice of issuing Malabar Cement and Steel from SAIL were followed in Government works executed by various Departments for a long time. But due to the delay in obtaining Cement and Steel from Government Store due to various reasons, Government allowed the contractors to procure cement and steel from open market.
 2. The rate adopted in the estimate is for the cost of purchasing cement of approved manufacturers and steel from primary manufacturers, but during the time of execution of work, contractor may use cement and steel purchased from local market which may not confirm to the standards prescribed by BIS. Thus, when such materials are used in works, the contractor may enjoy undue advantage at the cost of the quality of work there by considerably reducing the life of the structure.
 3. As per the G.O. (P) no.36/2013/PWD dt. 17.04.2013, State Government decided to adopt CPWD and MoRTH specifications in Government works. Hence the conditions prescribed in CPWD works may be incorporated in Particular specification of all Contract Agreements for works using cement and steel to be brought by the contractor.
 4. Therefore all Government departments / PSUs / Autonomous Bodies, Agencies accredited by Government for entrusting works shall strictly incorporate the following special conditions in the tender documents in future for Cement and Steel to be brought by the contractor.
- A. Cement**
- The contractor shall procure 43 grade (confirming to IS:8112) ordinary Portland cement as required in the work, from Malabar cement or reputed manufacturers of cement having a production capacity of one million tonnes or more per annum such as ACC, Ultratech, J.P. Rewa, Vikram, Shri cement, Birla jute and Cement Corporation of India, Zuari, Chettinadu etc., as approved by the Ministry of Industry, Government of India / Govt of Kerala and holding license to use ISI certification mark for their product. (The grade and IS Code ref shall be modified, if grade of cement used is different).
- B. Steel Reinforcement**
- a) The Contractor shall procure TMT bars of Fe 500 D. From primary steel producers such as SAIL, TATA steel limited, RINL, Jindal Steel & Power Ltd., & JSW steel Ltd. or any other producer as approved by Govt of Kerala who are using iron ore as the basic raw material / input and having crude steel capacity of two million tonnes per annum and above. The TMT bars produced from primary producers shall confirm to manufacturer's specifications. (The grade and IS Code ref shall be modified for if grade of steel used is different).
 - b) In case of non availability of steel from primary producers the contractor may be permitted by the Engineer-in-charge to use TMT reinforcement bars procured from steel producers having integrated steel plants (ISPS) using iron ore as the raw material for production of crude steel which is further rolled into finished shapes in house having crude steel

capacity of 0.5 million tonne per annum and more.

- c) In case of non availability of steel from primary producers as well as ISPS then the Engineer-in-charge may also permit use of TMT reinforcement bars procured from secondary producers for minor works / non structural works only. In such cases following conditions shall apply:-
- (i) The grade of the steel shall be Fe 500 D as per IS 1786: 2008. The secondary producers may have valid BIS / statutory license to produce HSD bars confirming to IS 1786: 2008. The TMT bars produced from secondary producers shall conform to the specifications as laid by BIS.
- (ii) In such cases necessary recovery corresponding to the difference in rate shall be made to the accepted rates in the contract.
- (iii) The specifications of TMT bars produced either from primary producers, ISPS or secondary producers, shall meet the provisions of IS 1786: 2008 pertaining to Fe 500 D grade of steel. (The grade and IS Code ref shall be modified for if grade of steel used is different).

K.P. Purushothaman
Chief Technical Examiner &
E-officio Special Secretary to Govt.

To,

The Accountant General (A&E/Audit), Kerala,
Thiruvananthapuram
The Principal Secretary, Finance Department
The Principal Secretary, Public Works Department
The Secretary, Water Resources Department
The Secretary, Fisheries Department
The Principal Secretary, Ports Department
The Principal Secretary, Local Self Government
Department
The Principal Secretary, Forest & Wild Life Department
The Principal Secretary, Industries Department
The Principal Secretary, Science and Technology

Smt. Surina Rajan
Director General - IAS (HY-1985)
Bureau of Indian Standards
Manak Bhavan,
9, Bahadur Shah Zafar Marg,
NEW DELHI -110 002

Dear Madam,

Sub: BIS Branding on Steel used for construction.

Department
The Principal Secretary, Agriculture Department
The Chief Engineer, PWD (Roads & Bridges),
Thiruvananthapuram
The Chief Engineer, PWD (Buildings),
Thiruvananthapuram
The Chief Engineer, National Highways & Admin
The Chief Engineer, DRIQ, Thiruvananthapuram
The Chief Engineer, Irrigation and Administration,
Thiruvananthapuram
The Chief Engineer, Irrigation Projects I/II Calicut /
Thiruvananthapuram
The Chief Engineer, IDRIB, Thiruvananthapuram
The Chief Engineer, CADA, Thrissur
The Chief Engineer, Harbour Engg. Department
The Chief Engineer, Local Self Government Dept.
The Chief Conservator of Forest (Admn),
Thiruvananthapuram
The Chief Executive Officer, Road Fund Board
The Chief Executive KSTP, Thiruvananthapuram
The Chairman, KSEB, Thiruvananthapuram
The Managing Director, Kerala Water Authority
The Managing Director, KSHB, Trivandrum
The Managing Director, KITCO, Ernakulam
The Chairman, GCDA, Ernakulam
The Managing Director, KSRTC, Thiruvananthapuram
The Managing Director, KTDC, Thiruvananthapuram
The Managing Director, KLDC, Thrissur
The Managing Director, KSCC, Thiruvananthapuram
The Managing Director, KPHCC, Thiruvananthapuram
The Managing Director, KTDFC, Thiruvananthapuram
The Managing Director, KINFRA, Thiruvananthapuram
The Managing Director, Kerala Electricals Ltd.
Thiruvananthapuram
The Registrar, Kerala/Kottayam/Kochi/Calicut/Kannur
Universities
The Registrar, Sanskrit University, Kalady
The Registrar, Kerala Agricultural University, Thrissur
The Commissioner, Devaswom Board, Travancore /
Kochi / Malabar
IT Cell, Finance for Web publishing

Forwarded / By Order

Sd/-

Section Officer

Ref: 226/J/2018-19 dated July 26, 2018

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

At the outset, we sincerely acknowledge your kind reception extended to our Shri Alex P. Cyriac, Past State Chairman, Kerala and Shri Sabu Cherian, Vice Chairman, BAI Muvattupuzha Centre, who participated BIS-Industry interaction in Steel Sector on 24th July 2018 at your office at Delhi.

Sir, as informed you by the above two representatives of BAI during the meeting, the present tender conditions of Central Government agencies and State Government agencies purchase of steel for works is earmarked to a few primary manufacturing companies. [The relevant

Copy to: All Office Bearers of BAI Headquarter.



Bureau of Indian Standards
The National Standards Body of India

Shri A. Puhazhendi
President
Builders' Association of India
G-1/G-20, Commerce Centre,
J. Dadajee Road, Tardeo,
Mumbai – 400 034
Email: baihq.mumbai@gmail.com

Dear Sir,

This has reference to your letter No. 226/J/2018-19 dated 26 July 2018 on the above subject addressed to DG BIS. The matter regarding preference of public procurement of steel reinforcement by the Government/State Department/agencies from primary producers has been examined.

In this regard, we would like to bring to your notice some of the developments, as follows:

a) There are 557 BIS Product Certification licensees for the Indian Standard for the steel reinforcing bars, that is, IS 1786:2008 'High strength deformed steel

Circular No.8/2016/Fin dated 4th February 2016 issued by the Government of Kerala, Finance Inspection (Technical) Department, is enclosed]. The price rates of these companies are quite higher than other ISI marked steel in the market. So, the contractors are suffering huge loss in the purchase of steel, especially in the scenario of the price hike during recent days. This also involves monopoly of a few vendors in the industry due to the government insistence and also will negate the possibility of getting competitive rates for the purchasers.

Sir, through this letter, we request you to kindly consider branding similar or same BIS / ISI certification for the Steel manufactured by primary manufacturer and secondary manufacturer meant for the use of construction.

We also wish to meet you personally to apprise this matter on any date, time and venue convenient to your goodself.

Thanking you,

Yours faithfully,

A. PUHAZHENDI
President
Builders' Association of India

Manak Bhavan, 9 Bahadur Shah Zafar Marg,
New Delhi - 110 002
Tel. 2323 0131 / 2323 3375 / 2323 9402
Website : www.bis.org.in, www.bisgov.in

bars and wires for concrete reinforcement (fourth revision)' which is under mandatory BIS Certification, and BIS has already been branding similar BIS certification (ISI Certification) for the steel manufactured by all these manufacturers.

- b) Further, categorization of steel plants by Ministry of Steel has been further revised vide their notification dated 12 May 2016. As per this notification, no steel producers will be classified as primary, secondary, integrated, others, etc and all classification/certification in this regard, issued prior to this notification stands withdrawn and have become null and void. Also, Joint Plant Committee (JPC), Kolkata would maintain a list of steel producers registered with them.
- c) Also, a Public Procurement Policy 2012 of the Ministry of Micro, Small and Medium Enterprises is already in place which takes care of the interest of this sector.
- d) Also, CPWD has issued Office Memorandum No.

DG/MAN/345 dated 29 March 2017, in which the requirement of procurement of steel reinforcement bars from primary producers has been removed and procurement from steel plants listed with JPC Kolkata has been mentioned.

Thanking you,

Shri Paul T. Mathew
State Chairman, Kerala
M/s. K.T. Mathew & Co.
Kochumuttom, Avoly, P.O.
MUVATTUPUZHA – 686 670, KERALA

Dear Sir,

Sub: BIS Branding on Steel used for Construction.

With reference to the above, please recall the discussion held at the Managing Committee Meeting at Visakhapatnam, on 4th August 2018, on the above subject matter, under **Item No.5(iv) Steel Matter.**

We are very happy to inform you that, Shri Sanjay Pant, Head (Civil Engg) Bureau of Indian Standards, Manak Bhavan, 9, Bahadur Shah Zafar Marg, New Delhi – 110 002, has replied to our letter No.226/J/2018-19 dated 26th July 2018, which is enclosed herewith and is self explanatory.

- Copy to:** (1) All Office Bearers of BAI Headquarter
(2) Shri Alex P. Cyriac, Past State Chairman, Kerala
(3) Shri Sabu Cherian, Vice Chairman, BAI Muvattupuzha Centre.

BAI Headquarter has received Minutes of the 27th Meeting of the Steel Consumers' Council held at Bangalore on 29th June 2018 and as it has not reflected the proceedings, BAI President has written a letter, which reads as under:-

Shri Chaudhary Birender Singh
Hon'ble Union Minister of Steel
Government of India
Room No.192, Udyog Bhawan,
Rafi Marg,
NEW DELHI

Respected Sir,

Sub: Approved Minutes of the 27th Meeting of the Steel Consumers' Council held at Bangalore on 29th June 2018.

Thanks for sending the above Minutes on 13th September 2018, by mail to all participants.

In this regard, please be informed that, on Page No.4, you have minuted the comments of BAI's President as under:-

"Representatives of Builders' Association of India pointed out that, for the last 3 to 4 months steel prices have gone up by 35% to 40%, especially in South India and the entire civil construction had come to a standstill.

Yours faithfully,
Sd/-

(Sanjay Pant)
Head (Civil Engg.)
Email: ced@bis.gov.in
Telephone: 011-23235529

Ref: 375/S/2018-19 dated September 11, 2018

This is very good development and hope the issue will be settled with this response.

Thanking you,

Yours faithfully,



RAJU JOHN
Executive Secretary
Builders' Association of India

Ref: 394/S/2018-19 dated September 19, 2018

With added pressure coming from the cement industry, he requested the Minister to look into the matter and help bring down the prices".

While appreciating your correct recording of BAI's comments, please be informed that, as a response to BAI President, the Hon'ble Steel Secretary stated that, "a Committee is formed to look into the abnormal steel price increase as well as to look into the aspect of 'profiteering' by Steel Manufacturers and the report of

this Committee will be published shortly". She also agreed to BAI President's observation that, there was no marked increase in the input cost of steel manufacturing warranting to such a high increase of steel price.

Sir, the above comments, which was applauded by one and all in the meeting were not found in the Minutes.

Therefore, we request you to kindly look into the matter and include the above statement in the Minutes. We also appreciate to receive the outcome of the Committee's finding on the 'profiteering' aspect by Steel Manufacturers, as the Construction Industry, which

employs nearly 5 Crore workers, are still struggling to cope-up with the abnormal steel price increase.

Your early response in the matter is highly appreciated.

Thanking you,

Yours faithfully,



RAJU JOHN
Executive Secretary
Builders' Association of India

Copy to:

- | | | |
|--|---|--|
| (1) Shri Vishnu Deo Sai
Hon'ble Minister of State
Ministry of Steel,
Room No.145, Udyog Bhawan,
Rafi Marg, NEW DELHI | (2) Ms. Richika Choudhary
Hon'ble Joint Secretary,
Ministry of Steel,
Udyog Bhawan,
Rafi Marg, NEW DELHI. | (3) Ms. Ratnasanu Das
Executive Secretary
Joint Plant Committee
52/1A, Ispat Niketan,
Ballygunge Circular Road,
KOLKATA – 700 019 |
|--|---|--|

BAI President has also written a letter No.226/J/2018-19 dated 26th July 2018, addressed to Smt. Surina Rajan, Director General –IAS (HY-1985), Bureau of Indian Standards, New Delhi, on BIS branding on Steel used for construction and BAI Headquarter have received reply from Shri Sanjay Pant, Head (Civil Engg.), Bureau of Indian Standards, which reads as under:-

Our Ref: CED 54/T-6 Dated 29th August 2018

Subject: Request for BIS Branding on Steel used for Construction.

Shri A. Puhazhendi
President
Builders' Association of India
G-1/G-20, Commerce Centre,
J. Dadajee Road, Tardeo, MUMBAI – 400 034

Dear Sir,

This has reference to your letter No.226/J/2018-19 dated 26th July 2018 on the above subject addressed to DG, BIS. The matter regarding preference of public procurement of steel reinforcement by the Government / State Department / Agencies from primary producers has been examined. In this regard, we would like to bring to your notice some of the developments as follows:-

There are 557 BIS Product Certification licensees for the Indian Standard for the steel reinforcing bars, that is, IS 1786 : 2008 'High strength deformed steel bars and wires for concrete reinforcement (fourth revision)' which is under mandatory BIS Certification, and BIS has already been branding similar BIS certification (ISI Certification) for the steel manufactured by all these manufacturers.

Further, categorisation of steel plants by Ministry of Steel has been further revised vide their notification dated 12th May 2016. As per this notification, no steel producers will be classified as primary, secondary, integrated, others, etc and all classification / certification in this regard, issued prior to this notification stands withdrawn and have become null and void. Also, Joint Plant Committee (JPC),

Kolkata would maintain a list of steel producers registered with them.

Also, a Public Procurement Policy 2012 of the Ministry of Micro, Small and Medium Enterprises is already in place which takes care of the interest of this sector.

Also, CPWD has issued Office Memorandum No.DG/MAN/345 dated 29th March 2017, in which the requirement of procurement of steel reinforcement bars from primary producers has been removed and procurement from steel plants listed with JPC, Kolkata, has been mentioned.

Thanking you,

Yours faithfully,

Sd/-
SANJAY PANT
Head (Civil Engg.)
Email: ced@bis.gov.in
Tel: 011-23235529

Standardising of Bidding Documents

BAI's communication with NITI Aayog on Releasing of Standard National Bidding Documents for EPC Contractors.

Construction Industry Development Council (CIDC) initiating a 'High Powered Working Group to Harmonise and Standardise National Bidding Documents'. BAI President is a Member of this Working Group. The first meeting of the High Powered Working Group (HPWG) was held on 24th January 2017 in New Delhi. The second meeting of the HPWG was held on 24th April, 2017 in New Delhi. The third meeting of the HPWG was held on 21st June, 2017.

It was felt that a symposium should be arranged, wherein engineering and construction companies and other stake holders get an opportunity to elicit views to make the 'Model EPC Contract' a broad based and nationally accepted document. The views of participants in the symposium, accepted by the HPWG and NITI Aayog would be incorporated in the 'Model EPC Contract' to evolve the modified edition and subsequently based on the accepted provisions following shall be developed for appending with this document.

- 1) Works Manual.
- 2) Arbitration & Dispute Resolution Manual.
- 3) Technical Specification Manual.
- 4) Safety, Health and Environment Manual.

Accordingly, a 'National Symposium on Harmonizing Contract Conditions' was organised by Construction Industry Development Council of India (CIDC) at the direction of NITI Aayog, on 5th October, 2017 in Hotel Novotel Hyderabad Airport, Hyderabad. The symposium was hosted by BAI.

Mr. Pradip Bhargava, Former Addl. Chief Secretary, Government of Madhya Pradesh & Chairma, HPWG; Mr. H. N. Vijaya Raghava Reddy, President, BAI; Dr. P. R. Swarup, Director General, CIDC; Mr. R. N. Gupta, Vice-President, BAI; Mr. S. Narasimha Reddy, Vice-President,

Dr. P.R. Swarup
Director General
Construction Industry Development Council
801 (8th Floor), Hemkunt Chambers,
89, Nehru Place,
NEW DELHI – 110 019

Dear Sir,

Sub: Model Bidding Document for EPC Contracts.

Builders' Association of India (BAI) is grateful to Construction Industry Development Council (CIDC) for initiating to promulgate an Equitable Standard Contract Document to be adopted by the Departments for EPC Contractors.

BAI; Mr. C. G. Deochake, Hon. Gen. Secretary, BAI; Mr. B. Seenaiah, Past President, BAI; Mr. B. Sugunakar Rao, State Chairman, BAI Telangana and Mr. K. Sriram, Past State Chairman, BAI Karnataka & Co-ordinator for the symposium, graced the dais during the symposium.

Representatives of top engineering and construction companies were present in the symposium and gave their opinion and made suggestions. They have been requested to send their opinion and suggestions in writing to CIDC.

The issue was also regularly discussed in the various meetings of BAI. The documents were also hosted on BAI's website, seeking views and comments from members. Based on the views and comments received, BAI submitted the same to CIDC for its onward forwarding to NITI Aayog.

NITI Aayog had hosted model document for construction sector seeking comments from public on its website :

http://www.niti.gov.in/writereaddata/files/new_initiatives/Model-EPC-Agreement-for-ConstructionSector.pdf

The said document was worked out on the basis of the model EPC document on construction sector prepared by erstwhile Planning Commission which was deliberated upon by a HPWG constituted by CIDC during the year 2017. As an outcome of the deliberation, a draft model document for construction sector was recommended by the HPWG for using as a nationwide model bidding document for construction sector.

Mr. A. Puhazendi, President, BAI vide his letter No. 272/A/2018-19 dated August 16, 2018 had requested members to go through the document and send their written comments. Comments received by BAI were forwarded to CIDC. Now, Mr. A. Puhazendi has addressed the below letter to CIDC.

Ref: 702/D/2018-19 dated December 27, 2018

In our various interactions, you have conveyed to the undersigned about the final status of the document, which could be released at any time.

BAI's Managing Committee Meeting held at Gurgaon on 11th December 2018, had authorised the undersigned to request you to communicate to 'NITI Aayog' to release the document at their earliest convenience.

We once again thank you for your co-operation and hope you will do the needful at the earliest.

A line of confirmation on the above would be greatly appreciated.

Copy to: All Office Bearers of BAI Headquarter

Dr. P.R. Swarup
Director General
Construction Industry Development Council
801 (8th Floor), Hemkunt Chambers,
89, Nehru Place,
NEW DELHI – 110 019

Dear Sir,

Sub: Immediate Release of Model Bidding Document for EPC Contracts.

Please recall my numerous telephonic as well as personal conversations had with you on the above subject.

As I have believed your promise of imminent release of the Model Bidding Document for EPC Contracts prepared by representatives from all Sectors of the Industry including BAI under the aegis of NITI Aayog. I have announced the same in our Managing Committee Meeting held at Gurgaon on 11th December 2018. My Members after waiting for so long, had requested the undersigned to take up the matter with you again.

In this regard, I have sent you a letter No.702/D/2018-19 dated 27th December 2018, requesting you to get the above document released, which has not even acknowledged by you (Copy enclosed).

In response to our above letters, we have received reply by Email on 2nd February 2019, from Dr. P.R. Swarup, Director General, CIDC, which reads as under :-

Dear Shri Puhazhendi,

Thanks for your letters Ref: 774/J/2018-19 dated 31st January 2019 and Ref: 702/D/2018-19 dated 27th December 2018 received by my office today.

As explained to you during my tale conversation with you, that the matter is being persued relentlessly with NITI Aayog and it is only Aayog, who shall release the

Shri Amitabh Kant
Chief Executive Officer
NITI Aayog, Room No. 241,
Sansad Marg, New Delhi.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President
Builders' Association of India

Ref: 774/J/2018-19 dated January 31, 2019

Therefore, you are requested to kindly make arrangement to get the documents released by NITI Aayog within a time frame, so that the words of CIDC get credibility amongst our members.

Hope you understand my situation and will do the needful in the matter.

Thanking you,

Yours faithfully



A. PUHAZHENDI
President
Builders' Association of India

document after having the same examined at their end and also upon conclusion of consultative process.

Let me assure you that, we are continuously following and as soon as the conclusion is done, we shall have the provisions.

Thanks and Regards,

DR. SWARUP

Ref: 795/F/2018-19 dated 11th February 2019

Subject: **Releasing of Standard National Bidding Documents for EPC Contractors.**

Ref: **Your letter No.3/33/2016-Tpt, Government of India, NITI Aayog (Infrastructure Connectivity) dated 28th March 2017.**

Respected Sir,

With reference to the above, please find attached herewith your Office Memorandum No.3/33/2016-Tpt, Government of India, NITI Aayog (Infrastructure Connectivity) dated 28th March 2017 issued by Mr. Amit Bhardwaj, SRO (Transport).

Sir, Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 180 plus Centres (Branches) throughout the country. In response to the invitation extended by Construction Industry Development Council (CIDC), on the captioned subject matter, BAI have actively participated and contributed to the preparation of the said document so that an '**Equitable Standard Contract Document for EPC contractors**', could be brought out with the concurrence of all concerned in dealing with contracts documents. (Attached is the list of members participated for preparation of the Contract Document).

The said documents have been finalised by all sectors of the construction industry, particularly by various Government Departments and submitted the same to NITI Aayog's office on 13th April 2018 for its assent and release.

Sir, BAI members were assured of its publication by mid of 2018 and as such it was following up the matter with CIDC. The Director General CIDC, Dr. P.R. Swarup, now directed BAI to contact you for releasing the said document.

We request you to kindly look into the matter do the needful in this regard.

Thanking you,

Yours faithfully,



A. PUHAZHENDI

PRESIDENT

BUILDERS' ASSOCIATION OF INDIA

BAI requested CIDC to use its good offices to ensure that Niti Aayog releases the final document. Mr. A. Puhazhendi wrote another letter to CIDC to which CIDC replied and both these letters were printed in the February 2019 issue. Subsequently, Mr. A. Puhazhendi, President, BAI had the opportunity to meet and interact with Mr. Amitabh Kant, CEO, NITI Aayog in New Delhi on 14th February, 2019, during which he handed over to him a memorandum requesting NITI Aayog to release the 'Standard National Bidding Documents for EPC Contractors' at the earliest. This memorandum was also printed in the February 2019 issue. Now, Mr. A. Puhazhendi has written a letter to Mr. Amitabh Kant, which is reproduced herein below.

Ref: 819/M/2018-19 dated 5th March 2019

Shri Amitabh Kant
Chief Executive Officer
Room No. 241, NITI Aayog,
Sansad Marg, New Delhi.

Reg: **Our Meeting at Delhi on 14th February 2019 on Releasing of Standard National Bidding Documents for EPC Contractors.**

Respected Sir,

At the outset, I personally and on behalf of members of BAI, sincerely thank you for the time allotted to me to meet you on 14th February 2019, during the CREDAI Conclave held at Delhi.

During the meeting, I have personally handed over to you a representation on the release of 'Standard Contract Document' prepared by all the constituents of Construction industry, such as Works authorities from the Government, Financial institution, at the aegis of 'NITI AAYOG' which is pending at your end, for more than a year. (A copy of the letter is attached herewith).

We will be highly obliged if you could kindly look into the captioned matter and initiate steps to release

the final document at your earliest convenience so that the contractors could avail the benefit.

We once again request your kind and prompt action in the matter.

Thanking you,

Yours faithfully,



A. PUHAZHENDI

President

Builders' Association of India

CPWD Matters

Contractors working for Central Public Works Department (CPWD) have been writing to Mr. A. Puhazhendi, President, BAI highlighting their grievances. BAI compiled the grievances. Mr. A. Puhazhendi has written to the Director Genral of CPWD, listing out the grievances along with BAI's proposals on each of the grievances. We are printing herein below the letter.

Ref: 409/S/2018-19 dated September 27, 2018

Shri Prabhakar Singh
Director General
Central Public Works Department
 'A Wing' Nirman Bhawan,
 Maulana Azad Road
 NEW DELHI -110 001

Respected Sir,

Sub: Grievances of CPWD enlisted Contractors – Redressal – requested – reg.

S. No.	Description	Existing Condition	Proposed amendment	Remarks
1	10 CC	a) 10 CC is eligible for works more than one year time schedule only b) Payment due to variations (increase/decrease) in prices for extra items, enhanced quantity of items beyond deviation limits & substituted items are not allowed	a) We request that 10CC may please be approved for works less than one year time schedule also, since time schedule for majority of the works is less than 1 year only & the prices of petroleum products are revised on daily basis which has direct impact on the prices of the building materials, wages etc, b) In majority of works, price fixed at the occurrence of the work are not constant upto the completion of that item. Further, the prices of petroleum products are revised on daily basis which has direct impact on the prices of the building materials, wages etc. Hence, payment due to variation (increase/decrease) in prices for extra items, enhanced quantity of items beyond deviation limits & substituted items may please be considered	...
2	10 C	Engineer in charge may call books of accounts and other relevant documents from the contractors to satisfy himself about reasonability of increase in prices of materials and wages	Contractors incur expenditure towards conveyance, food, accommodation, water, medical expenses etc, for the workmen which are cumbersome to reveal in books of accounts. Hence the formula adopted in 10CC may please be considered.	
3	12.2.A.	For projects and original works In case of extra items (items that are completely new and are in addition to the items contained in the contract) the contractor may within fifteen days of	a) The price of an item is based on the brand, purchasing period , place etc., b) For tiles, price varies according to volume, design chosen etc.	

S. No.	Description	Existing Condition	Proposed amendment	Remarks
		receipt of order or occurrence of the items claim rates supported by proper analysis for the work and the Engineer-in-charge shall within prescribed time limit of the receipt of the claims supported by analysis after giving consideration to the analysis of the rate submitted by the contractor, determine the rates on the basis of the market rates and the contractor shall be paid in accordance with the rates as determined.	c) For granite, price varies according to slab size, thickness, polishing quality etc., d) Labour charges varies according to the location of site etc., The department is adopting uniform rate for the price of materials & labour charges. This practice of determining uniform rate may please be changed to actual market rate based on the several above factors.	...
4	12.2 The prescribed time limit for finalizing rates.	The prescribed time limit for finalizing rates for extra items, Substitute items and deviated quantities of contract items are as under :- (i) If the tendered value of work is upto Rs.45 lakhs : 30 days (ii) If the tendered value of work is more than Rs.45 lakhs and upto Rs.2.5 Crores : 45 days (iii) If the tendered value of work exceeds Rs.2.5 Crores : 60 days	The prescribed time limit for finalizing rates for extra items, Substitute items and deviated quantities of contract items may please be revised as under :- (i) If the tendered value of work is upto Rs.45 lakhs : 15 days. (ii) (ii) If the tendered value of work is more than Rs.45 lakhs and upto Rs.2.5 Crores : 30 days. (iii) If the tendered value of work exceeds Rs.2.5 Crores : 45 days.	
5	4.15 : Reinforcement steel section weights.	For the purpose of payment, the actual weight of reinforcement steel shall be worked out as below: To arrive at unit weight for the purpose of payment three random samples each of 1 meter length shall be collected for each diameter of re-bar from every consignment received at site. Actual weight of three specimens for each diameter shall be taken and average weight calculated and recorded. The average weight so arrived at shall be compared with theoretical weight of that particular diameter of rebar. Actual or theoretical weight whichever is less shall be considered for making payment for that consignment. However final payment shall be made on the basis of weighted average of all the consignment. The decision of the Engineer-in-charge as regards the random samples and average weight shall be final and binding on the contractor and no claim of any kind shall be entertained in this regard.	If the weight of reinforcement steel is within the permissible rolling margin variations plus/minus, the theoretical weight of reinforcement steel may please be considered for payment.	

S. No.	Description	Existing Condition	Proposed amendment	Remarks
6	EMD Condition	The original EMD should be deposited either in the office of Executive Engineer inviting bids or division office of any Executive Engineer, CPWD within the period of bid submission. The EMD receiving Executive Engineer shall issue a receipt of deposition of earnest money deposit to the bidder in a prescribed format (as given in CPWD-6) uploaded by tender inviting Executive Engineer in the NIT.	The bidder shall be permitted to upload the EMD in the E-tendering web site upto the specified bid submission date & time. The physical EMD shall be deposited by the lowest bidder with the EE calling the tender within a week of the opening of financial bid. Otherwise department may reject the tender and also action to withdraw the enlistment / debar the lowest bidder from tendering in CPWD. The above system was adopted by CPWD during Nov 2015 & seeking the same system now, to have more transparency in the tender.	...
7	Form of Performance Security (Guarantee) Bank Guarantee bond	a) Para.8 : This guarantee shall be valid upto __ unless extended on demand by Government. Notwithstanding anything mentioned above, our liabilities under this guarantee restricted to Rs.__ and unless a claim in writing in lodged with us within six months of the date of expiry or extended date of expiry or extended date of expiry of this guarantee all our liabilities under this guarantee shall stand discharged. b) Further the format of the BG is not in the line with the banks guide lines for issue of BG. Every time we are pressurizing the bank to issue BG as per CPWD BG format.	a) Para.8 : This guarantee shall be valid upto __ unless extended on demand by Government. Notwithstanding anything mentioned above, our liabilities under this guarantee restricted to Rs.__ and unless a claim in writing in lodged with us within one month of the date of expiry or extended date of expiry or extended date of expiry of this guarantee all our liabilities under this guarantee shall stand discharged. b) The banks guide lines insist for only one validity date of the BG without any provision for claim period date. Hence, request the department to modify the BG format to suit the banks guide lines with validity date including claim period & to insist for only one validity date.	
8	Enlistment Rules, 2017 issued on 16.02.2018.	As per the instructions/guidelines enunciated in E.R.2017 uploaded on 10.0.2018 read with "Clarification on Enlistment Rules, 2017 issued on 16.02.2018, the respective enlistment authorities should take suomoto action to ensure that the validity of all the existing composite category contractors" registration is extended upto 31.03.2020 besides enhancing their tendering limit.	Based on the written request from the contractor only, extension period for enlistment of contractors & the enhanced tendering limit were issued. Hence, we request the department to issue the above letter to the left out contractors who have not submitted their request letter as on date.	

S. No.	Description	Existing Condition	Proposed amendment	Remarks
9	Restricting the jurisdiction of the existing class IV composite category contractors.	Restricting the jurisdiction of the existing class IV composite category contractors to participate in tenders floated in South zone 1 only.	CPWD contractors are deprived because of this unilateral action by the department We seek necessary quick corrigendum from the department to redress this matter.	
	General			
10	Time Schedule.	The time stipulated for completion in several tenders are too short & could not complete the works practically.	Several contractors are affected financially due to withhold of payment for not achieving the milestone & liquidated damages. Further, time schedule shall be finalized based on practical completion time required to avoid the monetary loss of the contractor.	
11	Shifting of all the mile stones pro rata when delay attributable to the department.	Any delay attributable to department in respect of issue of approved drawings, decision etc., it is not recorded promptly in the hindrances register then & there and mile stone is not shifted by the department properly & withheld of amount for non achievement of mile stone is enforced by the department.	Any delay attributable to the department in respect of issue of approved drawings, decision etc., may please be recorded promptly in the hindrances register then & there and the written letter for shifting of milestone by the department to this effect in all the stipulated mile stone pro rata may please be issued without seeking any representation / letter from the contractor within 10 days of the completion of the delay by the department.	
12	Permission to purchase one among the approved cement without repeated design mix.	When purchased one among the approved brand of cement in variation to the brand of the approved design mix, fresh design mix test requirement is enforced by the department.	When purchased one among the approved brand of cement in variation to the brand of the approved design mix, fresh design mix test requirement may please be dispensed with, since the cement test is given as per usual practice.	
13	Minimum 2 or 3 brands with approved shade for bought out items.	In respect of several bought out materials like tiles, paints etc., department approves only one brand & approved shade & it becomes monopoly for the vendor & the delay in the supply on these accounts are borne by the contractor.	Any bought out materials like tiles, paints etc., minimum 2 or 3 brands with approved shade in each brand may please be approved & the contractor shall be permitted to purchase either of the approved brand/ shade to facilitate competitive quote & quick supply from the vendors.	

S. No.	Description	Existing Condition	Proposed amendment	Remarks
14	Applying emulsion paints in new buildings - certain rectification observed.	In new buildings with fly ash brick masonry & plastering, on applying emulsion paints, we have observed efflorescence complaints.	Request the department to analyze this observation & seeking proper remedial measures quickly to avoid rectification works by the contractor repeatedly.	...

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President
Builders' Association of India

Contractors working for Central Public Works Department (CPWD) have been writing to Shri A. Puhazhendi, President, BAI highlighting their grievances. BAI had compiled the grievances and Shri A. Puhazhendi had written letter No. Ref: 409/S/2018-19 dated September 27, 2018, to the Director General of CPWD, listing out the grievances along with BAI's proposals on each of the grievances. Shri A. Puhazhendi wrote another letter which is produced below:

Ref: 773/J/2018-19 dated January 31, 2019

Shri Prabhakar Singh
Director General
Central Public Works Department
'A Wing' Nirman Bhawan,
Maulana Azad Road
NEW DELHI -110 001

Respected Sir,

Sub: Grievances of CPWD enlisted Contractors - Redressal - requested - reg.

Ref: Our letter No.409/S/2018-19 dated 27th September 2018 and letter No.704/D/2018-19 dated 28th December 2018 (Enclosed*).

With reference to the above, we once again request you to kindly grant us an audience with you to explain more on the contents of the attached letters, as it needs your kind intervention.

Sir, BAI felt, it is a matter of concern that, the Department did not even acknowledge BAI's letter even after 4 months. For kind information, this has not been the practice of CPWD as it used to grant appointment to BAI delegation immediately on receipt of its request letters and used to address the issues mutually to the satisfaction of both the side. We would also like to inform you that, representatives of BAI are in the Committees of almost all Departments concerning to the Construction Industry such as, Ministry of Commerce and Industry, Ministry of Road Transport, Highways & Shipping, Ministry of Labour & Employment etc. etc. Our Members are eagerly awaiting the response to the letter sent to you as the

undersigned or my representative could visit you and explain more on the matter.

For kind information, Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

We once again seek your audience at the earliest possible date convenient to you, so that our members grievances could be properly addressed and solved.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President
Builders' Association of India

Highlights of Union Budget 2018-19.

Overall the budget is middle class centric and there is not much for construction industry.

- Benefits under Sec 80(i)BA being extended for one more year, for all housing projects approved till end of 2019-2020.
- Benefit of rollover of capital tax gains to be increased from investment in one residential house to that in two residential houses, for a taxpayer having capital gains up to Rs 2 crore; can be exercised once in a lifetime.
- Gratuity limit increased from Rs 10 lakh to Rs 30 lakh in budget for 2019-20.
- TDS threshold on rental income raised from Rs 1.8 lakh to Rs 2.4 lakh.
- TDS threshold on interest on bank and post office deposits raised from Rs 10,000 to Rs 40,000.
- Individuals with gross income up to Rs 6.5 lakh will not need to pay any tax if they make investments in provident funds and prescribed equities.
- Standard deduction for salaried class raised from Rs 40,000 to Rs 50,000.
- Full tax rebate for individual taxpayers for Rs 5 lakh income announced.
- Along with completion of fiscal deficit consolidation programme, now focus on debt-to-GDP ratio consolidation.
- Expenditure to rise by 13% from revised estimates 2018-19 to budget estimates 2019-20.
- FM announces fiscal deficit as a proportion of GDP - 3.4% for the coming year, considering need for income support for farmers.
- India becoming launchpad of the world, placing an Indian astronaut in space by 2022.
- Rs 3 lakh crore allocated to defence sector.
- 18% increase in direct tax collections in 2017-18, 1.06 crore people included in tax base.
- India is poised to become a 5 trillion dollar economy in the next five years, we aspire to become a 10 trillion dollar economy in the next eight years.
- Around 1 crore new tax payers added after demonetization.
- Vande Bharat Express, indigenously developed semi high speed train, will give Indian passengers world class experience.
- 2% Interest subvention announced for small farmers.
- Rs 19,000 crore allocated for construction of rural roads.
- Govt. wants GST relief for homebuyers.
- Capital support for Railways at Rs 64,587 crore for FY20.
- Simplification of direct tax system will benefit taxpayers; direct tax reduced and tax interface made simpler and faceless to make life easier.
- Direct tax collections rose from Rs 6.38 lakh crore in 2013-14 to almost Rs 12 lakh crore; tax base up from 3.79 crore to 6.85 crore.
- Single window clearance for filmmaking to be made available to Indian filmmakers.
- Rs 35,000 crore allocated to OROP scheme.
- India has achieved over 98% rural sanitation coverage.
- Under PM Ujjwala Yojana, a programme to give 8 crore free LPG connections to rural households, 6 crore connections given already.
- Mega Pension Yojana to provide assured monthly pension of Rs 3,000 per month for unorganised sector.
- Farmers having up to 2 hectare of land will get Rs 6,000 per year under the scheme.
- Pradhan Mantri Kisan Samman Nidhi scheme for farmers announced.
- 22nd AIIMS to be set up in Haryana.
- Rs 1,70,000 crore spent for bringing food at affordable rates to poor people.
- Govt. working for housing for all poor by 2022.
- Within 2 years, Tax assessment will be done electronically.
- IT returns processing in just 24 hours.
- Minimum 14% revenue of GST to states by Central Govt.
- Custom duty has abolished from 36 Capital Goods.
- Recommendations to GST council for reducing GST rates for home buyers.
- Capital tax Benefit u/s 54 has increased from investment in one residential house to two residential houses.
- Benefit u/s 80IB has increased to one more year i.e. 2020.
- Benefit has given to unsold inventory has increased to one year to two years.*Other Areas*
- State share has increased to 42%.
- Bonus will be applicable for workers earning 21000 monthly.
- One lakh digital villages in next 5 years.

Skill Development in Construction Sector

Government of India established National Skill Development Corporation (NSDC) on 31st July 2008 as not for profit company licensed under Section 25 of the Companies Act, 1955. NSDC has targeted to train 150 million people by 2022, out of incremental demand of 240 million.

As mandated under NSDC's programme Construction Industry need to form a Construction Skill Development Council to establish occupation standards, operations and delivery mechanism, certification and accreditation and Labour Market Information System (LMIS). Ultimately in

a meeting held on 23rd August 2012 in the office of Mr. Ramadorai, the then Adviser to Prime Minister on Skill Development and present Chairman of National Skill Development Corporation, Construction Sector Skill Development a Council of India was formed jointly by four Associations namely Builders' Association of India (BAI), Construction Federation of India (CFI), Confederation of Real Estate Developers Association of India (CREDAI), and National Highway Builders' Federation (NHBF). Members of the Governing Council are as follows:-

Name of Member	Name of Organisation
Mr. Ajit Gulabchand	Chairman, C.F.I.
Mr. S.N. Subramanian	C.F.I.
Mr. B. Seenaiah	Past President, BAI
Mr. Sushanta Kumar Basu	Past President, BAI
Mr. Lalit Kumar Jain	Chairman, CREDAI
Mr. C. Shekar Reddy	President, CREDAI
Mr. V.C. Verma	President of NHBF
Col. Surinder Kuda of M/s. Ashoka Buildcon	NHBF
Mr. Niranjan Hiranandani	Additional Industry Nominee
Mr. Phillie Karkaria	Additional Industry Nominee
Mr. Devendra Choudhary, Additional Secretary, Ministry of power	Planning Commission Nominee
Mr. J. Ganguly	Additional Industry Nominee Technical Adviser to be decided by Governing Council later.

CSDCI aims to develop, establish, standardize and sustain Industry Competency Frameworks, Skills Levels, Occupational Standards, Build, create and deliver Capacity, Investment and Skilling outcomes which shall meet or exceed customer expectations through ethical, transparent and effective management of the Construction and Infrastructure Industry Skill Development Fund.

CSDCI endeavours to establish, constantly monitor, update and sustain corporate values & ethics for all its participants, employees, industry members and related stakeholders.

VISION

Be the leading apex body of the Construction & Infrastructure Industry in Development & support of Skilling Solutions and advocacy of all connected Services for ensuring the skill needs of the Construction Industry.

The basic objective behind the formation of CSDCI is to create a credible and effective mechanism with the support of relevant and interested stakeholders to manage the task of skill development across the country and meet the current and future skill needs of the construction industry.

CSDCI ROLE

Developing National Occupation Standards, Curriculum and Assessment Guidelines.

Building the capacity - Training providers, Trainers and

Assessors.

Skill and Assess - Responsibly ensure quality training and conduct fair assessments.

Certify - Certifications of the trained manpower as per NOS and align them to NSQF levels".

CSDCI office is at present situated at 204, Ashirwad Complex, D-1, Green Park, New Delhi - 110 016 and they use BAI Delhi office Conference Hall for holding its Conference. This arrangement is considered as a contribution from BAI as a 'kind'.

It is now decided by CSDCI to shift the Corporate office of CSDCI to Gurgaon, Haryana and in this regard, Shri S.K. Basu, Past President, BAI in consultation with Shri B. Seenaiah, Past President, BAI, requested BAI to permit the use of a table space at our Delhi office as the registered office of CSDCI.

The matter was discussed in the Managing Committee of BAI and as directed by the Managing Committee, a Memorandum of Understanding (MOU) have been signed between Builders' Association of India (BAI) and Construction Skill Development Council of India (CSDCI) to provide a space at BAI office situated at D-1/203, Ashirwad Complex, Green Park Main, New Delhi - 110 016 and also to place CSDCI Logo / Nameplate outside the office premise.

CONSTRUCTION SKILL ECOSYSTEM

Highlights

1. PRADHAN MANTRI KAUSHAL VIKAS YOJNA (PMKVY)

- (a) **The PMKVY 2.0** was launched on 15 Jun 2016. The scheme requires the training centers to be uploaded and approved through the SMART NSDC portal (<http://www.smartnsdc.org/>). Seven Job Roles have been included under the program. Under the program the targets have been allocated to Training Centers directly and till **31st May 2019** and the details of **1,02,703** candidates have been uploaded by training centers for PMKVY and **86,860** candidates have been assessed. A total **367** training centers have been affiliated under PMKVY.
- (b) **Centrally Sponsored & State Managed (CSSM) program under PMKVY**- Large number of targets under PMKVY have been allocated to states for allotment to Training Centers (TCs) under CSSM component. States are allocating targets directly to TCs under CSSM. Details of **10,227** candidates have been uploaded by training centers for CSSM and **6807** candidates have been assessed till **31st May 2019**.
- (c) **PMKVY Special Projects** - Under this program a total target of **7262** was given to various Training Partners. Details of **6725** candidates have been uploaded by the Training Partners and **5487** candidates have been assessed.

2. RECOGNITION OF PRIOR LEARNING (RPL)

- (a) Under the Flagship scheme of PMKVY 2.0, RPL program was launched for those workers, who

already possesses the skill but are yet to be certified. The recognition & certification of such workers are being done based on NSQF level. Under the RPL program, training/orientation duration varies from 12 to 80 hours and are carried out in three types (**Type 1**- Camp based, **Type 2** – Site based & **Type 3** - Training center based).

- (b) Under the program, the target of **1,10,500** have been sanctioned for Construction Sector, **1,02,703** candidates have been enrolled & **92,264** have been assessed till **31st May 2019**. Allotment of targets under the scheme has been very slow and remains on hold since Dec 2017.
- (c) **RPL Type 4 (Best In Class Employer (BICE))**- RPL Type 4 was introduced by the government in Feb 2018 for recognition of existing work force employed by Best in Class Employers of the industry. This is in addition to RPL Type- 1, 2 and 3 under PMKVY 2016-20. Under this program, assessment will be carried out by employer & certificate will carry the logo of the employer along with SSC & Skill India. This will help in achieving certification at larger scale while ensuring its economy and quality of certification. This scheme is available for workers of those employers who fall in best in class category (annual turnover over 20 Cr & minimum 100 employees as principal employer)

A target of 2,00,000 certifications was sanctioned to CSDCI under the scheme. Following MoUs have been signed till date to achieve this ambitious figure-

S N	BEST IN CLASS EMPLOYER (BICE) (Name)	MOU SIGNED (Yes/No)	TOTAL TARGETS SIGNED (Numbers)
1	SAINT GOBAIN - GYPROC	Yes	1000
2	TECHNOCULTURE BCPL - Vastu Vihar	Yes	8000
3	NBCC (INDIA LIMITED)	Yes	20000
4	LARSEN & TOUBRO - B&F IC	Yes	2500
5	GOEL GANGA DEVELOPERS	Yes	35000
6	VILAS JAVEDKAR DEVELOPERS		
7	CHIRAG DEVELOPERS		
8	KUMAR PROPERTIES		
9	PHARANDE SPACES		
10	B U BHANDARI LANDMARKS		
11	WINDSOR SHELTERS		
12	NAIKNAVARE DEVELOPERS		
13	GODREJ PROPERTIES		

	(Name)	(Yes/No)	(Numbers)
14	NANDED CITY DEVELOPMENT	Yes	
15	CREDAI MAHARASHTRA		
16	ASHIANA HOUSING LTD	Yes	100000
17	TATA PROJECTS		
18	TATA HOUSING		
19	VATIKA GROUP		
20	GAURSONS		
21	CREDAI NATIONAL		
22	WAVE INFRATECH	Yes	4148
23	AHLUWALIA CONTRACTS	Yes	5000
24	SIMPLEX INFRASTRUCTURES LIMITED	Yes	10000
25	STELLAR GROUP	Yes	500
26	HILITE GROUP	Yes	500
27	Oval Project Engineering Pvt Ltd	Yes	20000
28	PRL PROJECTS & INFRASTRUCTURE LTD	Yes	5000
29	JMC PROJECTS (INDIA) LTD	Yes	20000
30	NAREDCO	Yes	25000
31	ATS INFRASTRUCTURE LTD	Yes	5000
32	BUILDERS ASSOCIATION OF INDIA	Yes	102500
33	B G SHIRKE CONSTRUCTION TECHNOLOGY	Yes	500
34	PWD PUNJAB	Yes	8000

1. **RPL TYPE 1 (CAMP MODE) IN SWACHH BHARAT MISSION(SBM)**
- (a) Ministry of Drinking Water & Sanitation launched a program in Jhansi, Uttar Pradesh, under Swachh Bharat Mission on 30 September 2018. This ambitious project aimed to skill and train 3000 rural candidates in rural mason qualification pack with special emphasis on rural sanitation and usage of twin-pit toilets. Construction Skill Development Council of India (CSDCI) is the project implementing agency for this project and execution was done. This project is jointly funded by Ministry of Skill Development and Entrepreneurship and Ministry of Drinking Water and Sanitation wherein the training component is financially supported under Pradhan Mantri Kaushal Vikas Yojana.
- (b) Ministry of Drinking Water & Sanitation has further allotted a target of 50,000 certifications for implementation under the scheme in the below States –
- Uttar Pradesh – 25,000
 - Bihar – 10,000
 - Jharkhand – 7,500
 - Odisha – 7,500
- (c) An Expression of Interest was floated and initial targets have already been allotted to TPs after due Diligence by CSDCI.
2. **RPL UNDER BOCW AND USE OF BOCW FUNDS FOR TRAINING OF CONSTRUCTION WORKERS**
- (a) RPL with bridge course under BOCW are being discussed with various stake holders. The issue is being discussed continuously with MSDE, MoLE(Ministry of Labour & Employment) & state welfare boards. States are ready to implement the skilling of construction workers from BOCW Funds. However, non-clarity on implementation, funding & certification remains a big hurdle. Bihar Government has issued RFP for skilling of construction workers utilising BOCW funds.
- (b) There have been several rounds of meeting between MSDE, MoLE, CSDCI on policy guidelines. CSDCI has submitted draft presentation to all. NSDC is formulating a guideline in consultation with CSDCI on utilisation of BoCW cess fund for skilling to be issued by MoLE.
- (c) CSDCI has signed MoU with 2 TPs for assessment under BoCW. These TPs have targets allocated by the State Boards.

-
3. **CENTRAL PUBLIC WORKS DEPARTMENT (CPWD)- RPL Type 2 with bridge Course**
- Central Public Works Department (CPWD) Divisions and Construction Skill Development Council of India (CSDCI) have entered into MoU for RPL with Bridge course and certification of Construction Workforce working at their respective sites. This project will be implemented as per PMKVY Norms, RPL Type 2 and the entire program is being funded by the CPWD.
 - CPWD IIT BHU Varanasi, IIT Ropar Punjab and Roorkee, Raipur, Nagpur, and Bhopal divisions have signed an MoU. More divisions are aligned for MoU signing. Total enrolment for the three locations where trainings have been completed is **1125** candidates. Out of these **979** are assessed.
 - The training quality was appreciated by CPWD officials during a workshop organized by CWPWD.
 - The project is implemented with various TPs involved who have been allocated target by CSDCI like, Simplex Infrastructure Pvt. Ltd., Bhaskar Foundation, Pratham, OPJCC.
4. **APPRENTICESHIP AND NATIONAL APPRENTICESHIP PROMOTION SCHEME (NAPS)**
- Apprenticeship act has been made Industry friendly & contextual to encourage employment of apprentices. Under the optional trade industry can design courses for their job specific courses. Processes have been automated and hiring & reporting requirements have been made minimal & through single portal. Industry can engage apprentices from 2.5% to 10% of its workforce.
 - CEO, SSC have been made Joint Apprenticeship Advisor(JAA). The SSCs have been asked to provide support and take up this initiative for their respective sectors. The Apprenticeship portal has been developed at NSDC and is operational.
 - Under National Apprenticeship Promotion Scheme (NAPS) apprenticeship is being promoted by the government to enhance employability of certified candidates. Curriculum development for the job roles are under progress. Under NAPS government is providing financial assistance of Rs. 7500/- for BTP & Rs. 1500/- pm(maximum) up to 2 years.
 - As on 31-May-2019, a total of **1135** applications were received & **55** opportunities are shared by the registered establishments at the apprenticeship portal.
5. **MINISTRY OF RURAL DEVELOPMENT & PRADHAN MANTRI AWAS YOJNA- GRAMIN (PMAY-G)**
- CSDCI affiliated Training Providers are working in Maharashtra, Chhattisgarh, Madhya Pradesh, West Bengal, Jharkhand, Bihar & Gujarat for construction of houses under PMAY-G. State Rural Department other states like Rajasthan, Odisha, Punjab, Bihar and Maharashtra are also progressing & have issued EOI. **75,982** candidates have been enrolled this year and **59,453** have been assessed.
6. **PMKVY – TECHNICAL INSTITUTES**
- The National Steering Committee had sanctioned 352 Polytechnics / Engineering College in for construction sector. The selected Polytechnics/ Engineering colleges have to enroll the students as per the allocation and sanctioned trade/ QP. Till now data of **14,616** candidates have been received from Technical Institutions and **11,153** candidates have been assessed.
 - As per policy the AICTE program portal will be interlinked into NSDC/SDMS portal so that the assessment and certification can happen seamlessly. However, due to non-readiness of the SDMS system, the data capturing, assessment & certification are being done offline till date. More information is available on <http://www.aicte-india.org/pmkvy.php>
7. **MES COURSES**
- Short term courses under DGT are being transferred to SSCs for assessments & certification. As per direction from MSDE, with effect from 15 Aug 2018, all MES courses running under DGT are to be shifted to SSCs. CSDCI has given its readiness and the skilling courses under DGT will be assessed by CSDCI in future without any change in parameters/ conditions of DGT. By March 2019, it has been advised by NSDC that New QPs and NOS needs to be developed for MES course mapping.
- Batches of MES courses have started migrating to SDMS (NextGen) and are being facilitated & monitored for assessments. The assessment for the batches have already started and are under progress.
8. **ONLINE ASSESSMENTS METHODOLOGY**
- NSDC has been pressing hard to inculcate the online assessment methodology in the prevalent skill ecosystem. Since the assessments were conducted till date on pen-paper mode only in construction sector, few batches on pilot basis were conducted to understand the feasibility and way forward. Due to various challenges, it was decided that the central
-

online assessment platform to be developed at CSDCI.

9. JOB MELA & SKILL EXHIBITIONS

CSDCI is conducting & participating in Job Melas & Skill Exhibition at various cities in India. CSDCI is also conducting demand based job Melas at the training provider's premise. These job Melas are inaugurated by eminent political leaders. CSDCI has received appreciation for actively participating in all these events and promoting the skill development in the sector.

10. ONBOARDING OF CONSULTANTS/SUBJECT MATTER EXPERTS ON CONTRACT BASIS

As the Skill Development Ecosystem is becoming demanding in nature with different Ministries incorporating the Skill component in their flagship schemes, it is imperative to have a pool of experts in the Construction Skill ecosystem to maintain the pace of quality-led operations and delivery. Hence, CSDCI is looking forward to engage consultants/SMEs on contract basis for the activities mentioned below –

- Development of Assessment sheets with Summary of a job role/Qualification pack. The similar requirement is also for platform skills' job roles/qualification packs namely Lead Trainer, Lead Assessor, Trainer and Assessor.
- A NOS-wise Question bank (Theory questions, practical exercises & viva questions) of a job role/Qualification pack.
- Development & validation of Participant's Handbook and Trainer's Guide of a job role/Qualification pack.
- Attend meetings & training programs on behalf of CSDCI, whenever required & directed.

11. TRAINING OF TRAINERS/ ASSESSORS PROGRAMME (TOT/TOA)

(a) Following Training centers have been approved for running Training of Trainers/Assessors programs & ToTs /ToAs are being conducted.

1. OP Jindal Community College , Punji Patra, Raigarh, Chhattisgarh
2. RAGC- Dhanu, Maharashtra
3. SIRDA- Sundernagar, Himachal Pradesh
4. SAET- Guwahati, Assam
5. Quivan Skills – Kolkata, West Bengal
6. CSTI L&T, Kanchipuram, Tamilnadu
7. CSTI L&T, Pilakhuwa, Uttar Pradesh
8. NAC Hyderabad, Telangana

9. OGM Technical Institute – Gurgaon, Haryana
10. Somani Ceramics, Bahadurgarh, Haryana
11. Invotech Precision Engineers, Vizag, AP
12. SIRD Guwahati, Assam
13. Simplex Dwarka, Delhi
14. Ambey Tech, Ara Bihar
15. Saint Gobain Gyprox, Wada, Maharashtra
16. Bhaskar Foundation, Raipur, Chhattisgarh
17. Skill Training and Development, Gulf Enterprises
18. NIFA, Kota (Rajasthan)
19. Government ITI, Tollygunge, Kolkata (W.B.)
20. SIRD&PR, Aizawl (Mizoram)
21. IIC, Kollam (Kerala)
22. Drishti, Khandwa, M.P
23. MGSIRD & PR, Jabalpur,
24. RRD & PRTC, Bhopal
25. RRD & PRTC, Gwalior
26. RRD & PRTC, Indore
27. RRD & PRTC, Now gong,
28. RRD & PRTC, Seoni
29. RRD & PRTC, Ujjain
30. Kushal Credai, Pune , Maharashtra
31. SBBS, Nagpur
32. AITMC, Sohna, Gurgaon, Haryana
33. IL&FS, Bhilwara, Rajasthan
34. CSTI L&T, Cuttack
35. CSTI L&T, Ahmedabad
36. Veda Arc Institute, Lucknow
37. Samrat Ashoka Technical Institute, Vidisha, MP
38. CWTIT, Tripura
39. NEDC, Guwahati
40. CSTI L&T, Panvel
41. NAC, AP (Pulluvendlu)
42. RAGC, Thane (W) Mumbai
43. Kushal Credai Pune Metro, Nanded City, Pune

(b) Demand based ToTs & orientation programs for TPs / PIAs (Project Implementing Agency) are also being conducted for RPL, RPL through Demand & other schemes.

CSDCI has been able to meet the requirements of Trainers, Master Trainer and Assessors & Master Assessors so far. Till now 314 TOT courses have been conducted and 2397 Demonstrators 2363 trainers/Master Trainers & 1145 Assessors/Master assessors have been certified. Till now 68 job roles have been covered and efforts are being made to cover maximum spectrum of Job roles for training/assessment requirements.

(e) TOT/ TOA UPDATE

Particulars	FY 2016-17	FY 2017-18	FY 2018-19	2019-20		Overall
	Achieved	Achieved	Achieved	Target	Achieved	
ToT / ToA	65	134	97	110	17	
Results declared	65	134	92		77	
FT/LT	475	988	787	1050	113	2363
FA/LA	323	440	336	500	46	1145
Job roles covered	14	64	68		68	68
ToT/ ToA on Demand	5	41	22		21	

14. QUALITY ASSURANCE IN ASSESSMENTS

- (a) Various steps are taken to ensure quality in assessments and in ensuring infrastructure at training centres. Officials of CSDCI including CEO & GM standards have visited assessments & training centres for quality monitoring & assurance. CSDCI is also planning to recruit a quality assurance manager and set up quality team to ensure quality in assessments & training.
- (b) An SOP regarding the empanelment of assessment agencies is in place and also the methodology in evaluating the performance of the assessment agencies and accordingly the assignment of batches is being followed. Assessments assignments to Assessment Agencies have also been done through a defined process.

15. DEVELOPMENT OF AUDIO VISUAL CONTENT

- (a) CSDCI has developed the audio-visuals pertaining to the participant's handbook of "Mason General" job role & uploaded on the CSDCI's YouTube Channel and website.
- (b) Workorder for development of audio-visuals for Assistant Electrician & Rural Mason have been given. These AVs will be placed on CSDCI's website and will be available for free to the public.

16. LMIS SYSTEM

- (a) Labour Management Information System (LMIS) for Construction sector was launched and is working satisfactorily. It has been named as Construction Skilled Workers Management Information System (CSWMIS).
- (b) Free registration has been provided to construction industry partners, training partners & labour contractor with child login facility. Registration from industry, labour contractor & training provider has started at

slow pace. However, it is hoped that it will pick up & industry will take advantage of the platform of CSWMIS. CSWMIS will provide the much-needed platform for construction industry for getting skilled workforce.

17. WORLDSKILLS COMPETITION – Kazan, Russia (in 2019)

- (a) CSDCI has supported technically & managerially in implementation of the Regional & National competitions. Following five Skill trades were supported by CSDCI -

- i. Brick Laying
- ii. Wall & Floor Tiling
- iii. Concrete Construction Work
- iv. Plastering & Drywall Systems
- v. Architectural stone masonry

- (b) The details of expenditures and training schedule as received from industry/training partner has been submitted to NSDC for their approval. Due to lack of appropriate expertise & support, Architectural stone masonry has not been recommended for participation in world skills.

18. SUPPORT REQUIRED

- (a) Participation in Training & Employment -
- Active participation in training & employment from all Members & Associated partners will help & catalyse the skill eco system.
 - Preferential employment of NSQF certified workers
 - Employment of minimum percentage (20%) of CSDCI certified workers at site.
 - Participation in RPL Type 4 & Apprenticeship

(b) Industry Connect -

- To share indicative data of workforce presently working at the sites & required in near future to facilitate training as per demand.
- The target of getting of maximum

Industry partner on board

- HR policies to adopt QPs knowledge for selection of the candidates or performance evaluation.

19. OPERATIONS UPDATE : Training Details for Financial Years till date –

FY	Total Enrolled	Total Trained	Total Pass /certified	Total Fail	Total Absent	Total Drop out
FY 2013-2014	10301	10301	3843	2821	3637	0
FY 2014-2015	843	1842	1681	105	56	1
FY 2015-2016	49633	46043	25179	12750	8114	158
FY 2016-2017	73718	70163	46715	10362	13086	479
FY 2017-2018	171901	161959	119327	19740	22778	1258
FY 2018-2019	209167	177386	128741	21231	20663	3077
FY 2019-2020	46461	18230	14366	841	833	203
Grand Total	563024	485924	339852	67850	69167	5176

BAI's representative on NHAI Committee

Mr. A. Puhazhendi, President, BAI had written below letter No. Ref: 168/J/2018-19 dated June 20, 2018 to Shri Nitin Gadkari, Hon'ble Union Minister for Road Transport, Highways & Shipping requesting for inclusion of a BAI representative in the committee of NHAI.

Ref: 168/J/2018-19 dated June 20, 2018

Shri Nitin Gadkariji
Hon'ble Minister for Road Transport, Highways & Shipping
Government of India
Room No.501, Transport Bhawan,
1, Parliament Street, NEW DELHI - 110 001
Respected Sir,

Sub: Nominating a BAI's representative in National Highways Authority of India's Committee.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

At the outset, we sincerely appreciate and congratulate you for the milestones achieved by you in constructing maximum National Highways within a short time, as Hon'ble Minister for Road Transport, Highways & Shipping.

Sir, Builders' Association of India (BAI) being a national body with members executing major projects with

National Highways Authority of India, would like to be in the Committee of National Highway Authority of India (NHAI), so that proper interaction can be made between Builders' Association of India (BAI) and National Highways Authority of India (NHAI). Therefore, we request you to kindly nominate President, BAI as the nominee in the Committee.

We would also like to have a personal audience with you on any date and time convenient to you.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President

Builders' Association of India

Copy to: ShriYudhvir Singh Malik, IAS
Chairman,
National Highways Authority of India
G-5 & 6, Sector-10, Dwarka, NEW DELHI - 110 075

Subsequently BAI received below letter dated 24th December, 2018 from Shri S. P. Choudhary, Under Secretary to the Government of India Ministry of Road Transport & Highways.

NH-24036/01/2018-H
Government of India
Ministry of Road Transport & Highways
(Highways Section)
Transport Bhawan 1, Parliament Street, New Delhi - 110 001

Dated: 04th December, 2018

To,

Shri A. Puhazhendi, President
Builders' Association of India
G-1/G-20, 7th Floor, Commerce Centre
J. Dadajee Road, Tardeo,
Mumbai - 400 034

Subject : Nominating a BAI's representative in National Highways Authority of India's Committee - reg.

I'm directed to refer to your letter with ref. 168/J/2018-19 dated 20.06.2018 on the above mentioned subject vide which request to include Builders' Association of India (BAI) as nominee in the Committee of National Highways Authority of India was received.

I'm further directed to request you to kindly inform as to in which Committee of NHAI you desire a nominee of

BAI to be included. Kindly specify for further consideration on your request.

Yours faithfully,

Sd/-

(S.P. Choudhary)

Under Secretary to the Government of India
Telephone No.: 011-23718560

Shri A. Puhazhendi, replied vide his below letter No. Ref: 700/D/2018-19 dated December 27, 2018.

Ref: 700/D/2018-19 dated December 27, 2018

Shri S.P. Choudhary
Under Secretary to the Government of India
Ministry of Road Transport & Highways
(Highways Section)
Transport Bhawan,
1, Parliament Street,
NEW DELHI - 110 001

Dear Sir,


Sub: Nominating a BAI's representative in National Highways Authority of India's Committee.

Shri Arvind V. Patel
Chairman
Gujarat Contractors' Association
Nirman Bhavan, Near Law Garden,
Law College Road, Ellisbridge,
AHMEDABAD - 380 006
(O) (079) 26403908 Fax: 26446249
Email: office@gcaindia.co.in

baihq.mumbai@gmail.com on all your correspondence to Shri Arvind C. Patel for proper follow-up.

Thanking you,

Yours faithfully,


A. PUHAZHENDI
President
Builders' Association of India

We also request you to kindly mark a copy to Builders' Association of India (BAI) Headquarter on

Copy to: (1) Shri Arvind V. Patel, Chairman, Gujarat Contractors Association, Ahmedabad.
(2) All Office Bearers of BAI Headquarter

Shri Uttam Prakash
Under Secretary to the Government of India
Ministry of Road Transport & Highways
(Highways Section)
Transport Bhawan,
1, Parliament Street,
NEW DELHI - 110 001

Dear Sir,

Sub:Ref Our letter No.700/D/2018-19 dated December 27, 2018.

At the outset, we appreciate your letter dated 25m January 2019, seeking BAI's clarification on the name of the Committee on BAI representative to be included. You may also kindly refer the discussion the undersigned had with you on the captioned subject, today, at around 3.30 P.M.

In this regard, Builders' Association of India (BAI) would like to nominate one of its senior functionaries to the policy decision making body of National Highways Authority of India (NHAI), so that it could express contractors' view points to the Authorities.

Therefore, we request you to kindly include the name of the following in the NHAI's Committee.

Shri Arvind V. Patel, Chairman
Gujarat Contractors' Association
Nirman Bhavan. Near Law Garden. Law College Road,
Ellisbridge, AHMEDABAD -380 006
A (O) (079)26403908 Fax:26446249
Email : office@gcaindia.co.in

We also request you to kindly mark a copy to Builders' Association of India (BAI) Headquarter on baihq.mumbai@gmail.com on all your correspondence to Shri Arvind C. Patel for proper follow-up.

A line of confirmation from you on the above line is earnestly requested.

Thanking you,



RAJU JOHN
Executive Secretary

Internship Programme for fresh Engineering Graduates / Diploma holders

Fresh Civil Engineering Graduates / Diploma holders, who come of their institutions, have no or very little knowledge of working conditions in a construction company office or site. BAI feels that it should be made mandatory for Civil Engineering Graduates / Diploma holders to undergo 'internship' before they are certified employable. In this direction Mr. A. Puhazhendi, President BAI has addressed a letter to Mr. Prakash Javadekar, Hon'ble Union Minister of Human Resource Development, which is reproduced herein below.

Ref: 96/M/2018-19 dated May 30, 2018

Mr. Prakash Javadekar
Hon'ble Minister of Human Resource Development
Government of India,
C-Wing, Shastri Bhawan,
Dr. Rajender Prasad Road,
NEW DELHI - 110 001

Respected Sir,

Sub: Request for establishing Internship Programme for Engineering Graduates / Diploma holders.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to

bring about all round improvements in the construction sector, while striving towards resolution of operational as well as policy level problems faced by the construction industry. This involves making efforts to obtain from policy makers and authorities, the level of attention that the construction industry deserves in view of its tremendous contribution and importance to the economy.

Sir, the Union Government has rightly understood the importance of skilled workforce to make India compete at international level. In this regard, the Government has supported establishing National Skill Development Sectors with the support of the concerned industries.

In Construction Industry too, with the joint efforts of Builders' Association of India (BAI), National Highway Builders' Federation (NHBF), Construction Federation of India (CFI) and Confederation of Real Estate Developers Association of India (CREDAI), a sector skill is formed namely, Construction Skill Development Council of India (CSDCI) with its office at 204, Ashirwad Complex, D-1, Green Park, New Delhi - 110 016. It is, no doubt, CSDCI is doing a marvellous job of skilling the construction workers.

Sir, Indian Engineering Colleges are producing large number of Civil Engineers/ Diploma holders every year. These Engineers are theoretically well-versed. In medical field, the fresh Doctors are given internship for 1 year in all aspects of Medicines, Surgery and handling Patients, etc. Similarly, fresh Graduate Engineers should also be given 1 year internship in handling construction

Copy to: Dr. P. R. Swarup
Director General, Construction Industry Development Council
801 (8th Floor), Hemkunt Chambers, 89, Nehru Place,
NEW DELHI - 110 019

Internship Programme for fresh Engineering Graduates / Diploma holders

Fresh Civil Engineering Graduates / Diploma holders, who come of their institutions, have no or very little knowledge of working conditions in a construction company office or site. BAI feels that it should be made mandatory for Civil Engineering Graduates / Diploma holders to undergo 'internship' before they are certified employable. In this direction Mr. A. Puhazhendi, President BAI had addressed letter No. 96/M/2018-19 dated May 30, 2018 to Mr. Prakash Javadekar, Hon'ble Union Minister of Human Resource Development, Mr. Puhazhendi wrote another letter to Mr. Prakash Javadekar on 7th December, 2018. In response, BAI received a reply from Dr. Neeraj Saxena, Advisor II, Policy and Academic Planning Bureau, All India Council for Technical Education and to which Mr. A. Puhazhendi acknowledged. We are printing herein below all the three letters.

Ref: 664/D/2018-19 dated December 7, 2018

Shri Prakash Javadekar
Hon'ble Minister of Human Resource Development
Government of India
C-Wing, Shastri Bhawan
Dr. Rajender Prasad Road
New Delhi 110001

Respected Sir,

Sub: Request for establishing Internship Programme for Engineering Graduates / Diploma holders.

Builders' Association of India (BAI) is an apex all India body of Engineering Construction Contractors and Real Estate Companies founded in 1941, with more than 18,000 business entities as members through its 170 plus Centres (Branches) throughout the country. Regional Associations Affiliated to BAI form indirect membership of more than 1,00,000. The fundamental aim of the Association is to

materials, techniques and execution of the projects, etc., so that, they will be employable immediately once they come out of Engineering Colleges.

Sir, through this letter, we request you to kindly look into it and consider establishing Internship Programme, wherein the fresh Engineers could be given proper practical orientation, so that they will be ready to be employed at any organisation in India as well as abroad.

Sir, Builders' Association of India (BAI) with its huge network at the breadth and length of the country offers its support to this endeavours.

We also request you to kindly give us an audience to explain more on this matter.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President

Builders' Association of India

Sir, Indian Engineering Colleges are producing large number of Civil Engineers/ Diploma holders every year. These Engineers are theoretically well-versed. In medical field, the fresh Doctors are given training for 1 year in all aspects of Medicines, Surgery and handling Patients, etc. Similarly, fresh Graduate Engineers should also be given training in handling construction materials, techniques and execution of the projects, etc., so that, they will be employable immediately once they come out of Engineering Colleges.

In this regard, we hereby enclose our earlier letter No.96/M/2018-19 dated 30th May 2018 for kind action in the

matter.

We also request you to kindly give us an audience to explain more on this matter.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President

Builders' Association of India



ALL INDIA COUNCIL FOR TECHNICAL
EDUCATION

(A Statutory Body of the Govt. of India)

(Ministry of Human Resource Development,
Govt. of India)

Nelson Mandela Marg, Vasant Kunj,
New Delhi-110070

F.No. AICTE/P&AP/Misc./2019/698(a)

Dated: 19.02.2019

Shri A. Puhazhendi
President
Builder's Association of India,
G-1, / G-20, 7th Floor, Commerce Centre,
J. Dadajee Road, Tardeo,
Mumbai - 400 034

Subject: Establishing internship program for Engineering Graduates/Diploma holders.

Sir,

Kindly refer your letter Ref. No. 664/D/2018-19 dated 07.12.2018 which we have received through MHRD vide their letter F.No. 20-1/2019-TS.II dated 04.02.2019 on the above noted subject.

It is informed that AICTE has made internship mandatory for engineering students and issued necessary guidelines in this regard. Your association may also facilitate

internship to students and you are therefore, requested to be in touch with AICTE approved institutions in this regard.

Regards,
Sd/-
(Dr. Neeraj Saxena)
Advisor - II
Policy and Academic Planning Bureau

Copy to:-

1) Ms. Kavita Chauhan,
Section Officer (TS.II),
Government of India, MHRD,
Department of Higher Education,
Technical Section-II, Shastri Bhawan,
New Delhi - 110 001

2) Dy. Director (PGRC) AICTE

Dr. Neeraj Saxena
Advisor - II,
Policy and Academic Planning Bureau,
All India Council for Technical Education,
Nelson Mandela Marg, Vasant Kunj,
New Delhi -110070

Subject: Establishing Internship Programme for Engineering Graduates / Diploma holders.

Respected Sir,

This is for kind information.

At the outset, we express our sincere thanks for considering our request for Establishing Internship Programme for Engineering Graduates / Diploma holders.

Thanking you,

In this regard, as advised by you, BAI will be contacting AICTE approved institutions for furthering the matter.

Yours faithfully,



A. PUHAZHENDI
PRESIDENT
BUILDERS' ASSOCIATION OF INDIA

Kerala Floods - BAI rises to the occasion

Beginning of July 2018, severe floods affected the south Indian State of Kerala, due to unusually high rainfall during the monsoon season. It was the worst flooding in Kerala in nearly a century. Over 483 people died, 14 are missing. At least a million people were evacuated, mainly from Chengannur, Pandanad, Aranmula, Aluva, Chalakudy, Kuttanad and Pandalam. All 14 districts of the State were placed on red alert. According to the Kerala government, one-sixth of the total population of Kerala had been directly affected by the floods and related incidents. The Indian government had declared it a Level 3 Calamity, or 'calamity of a severe nature'. It is the worst flood in Kerala after the great flood that happened in 1924.

Thirty-five out of the fifty-four dams within the State were opened for the first time in history. All five overflow gates of the Idukki Dam were opened at the same time, for the first time in 26 years. Heavy rains in Wayanad and Idukki have caused severe landslides and have left the hilly districts isolated. The situation was regularly monitored by the Prime Minister, and the National Crisis Management Committee coordinated the rescue and relief operations.

There are 16 BAI Centres in Kerala viz. Alleppey, Aluva, Angamaly, Calicut, Cochin, Changanacherry, Ettumanoor, Kodungallur, Kerala (Trivandrum), Kottayam, Kollam, Muvattupuzha, North Malabar, Thrippunithura, Thrissur and Thiruvalla. Some of the Centres are located in the heavily affected areas. BAI Centres at Alleppey, Aluva, Angamaly,

Changanacherry, Ettumanoor, Kottayam, Muvattupuzha, Thiruvalla, Thrippunithura and Thrissur immediately took up relief efforts. They collected clothes, daily need materials, food, etc. to be sent to the affected areas. These Centres sent an SOS to Mr. A. Puhazendi, President, BAI for supporting their efforts. Mr. A. Puhazendi in consultation of his office-bearers, immediately sent an amount of Rs. 1 lac to each of the nine (9) Centres and simultaneously made an appeal to all BAI Centres and Affiliated Associations across India for supporting BAI's efforts. The response was encouraging from across India. While most BAI Centres sent financial contribution to BAI, BAI Centres in Gujarat, arranged for a large quantity of clothes, daily need materials, food, etc. to be transported to BAI Kerala.

With the rains having subsided and flooded areas are now accessible, Government agencies, NGO's, etc. have upped their efforts in providing relief. But, the challenge now is to rehabilitate displaced persons, reconstruct damaged houses and public infrastructure and ensure non-spreading of diseases. BAI Kerala is now concentrating on rehabilitation and reconstruction and BAI Centres from across India are expected to support them.

We are printing herein below the appeal made by Mr. A. Puhazendi and also the details of contribution received from across India. BAI Centres and/or members are requested to contribute.

Ref: 271/A/2018-19 dated August 16, 2018

To:

**All Managing Committee and General Council Members of BAI
Chairmen of all BAI Centres.**

My Dear Fellow Builders,

Sub: Natures Fury / Natural Disaster occurred in Kerala.

I am sure, by this time, you all are in the know of the horrendous natural calamity happened in the whole of Kerala State due to the unprecedented downpour, which created floods resulting nearly hundred percent of towns and villages emerged under the water. The flood and subsequent heavy flow of water have washed away many homes with its inhabitants.

The situation in many parts of Kerala, as per the media report, is pathetic and people are living in constant fear of further flood. They not only lost their dear ones, but also lost their valuables and even the place where the house was situated. It was reported that, the land itself is washed away at many low lying places.

Friends, I feel this is the time for BAI members to show their large heart and stand united, at the national level, to support and uphold the affected people of Kerala, not only to rehabilitate them by providing shelter, but also should

provide them with food, clothings and medical facilities.

I, therefore request each Centre to collect donations from members and send the maximum contribution to BAI Headquarter, so that a consolidated Cheque could be issued to the State Government of Kerala or to any other Authorities as per the direction of the State Chairman of BAI, Kerala. You are requested to kindly send the Cheque in favour of "BUILDERS' ASSOCIATION OF INDIA" or make NEFT / RTGS payment to the following Bank Account Number of BAI, with a letter mentioning the amount is sent for 'Kerala Flood Relief Fund' :-

A/c. Holder Name: BUILDERS' ASSOCIATION OF INDIA

Name of Bank & : STATE BANK OF INDIA

Branch Address : Ground Floor B Wing, Jaywant Apt.,
63, Tardeo Road, Mumbai - 400034

A/c. No. : 10529882158

A/c type : Current A/c

BSR Code : 18708

IFSC Code : SBIN0018708

MICR Code : 400002379

Thanking you,

Yours faithfully,



A. PUHAZHENDI

President

Builders' Association of India

Your earliest action in the matter is earnestly requested.

Kerala State Chairman Shri Paul Mathew's report on Kerala Flood relief is given below:

The Kerala State Chairman was installed in a auspicious meeting held at hotel holiday in Kochi Sri APM Mohamed Hanish IAS MD Kochi Metro Rail and CEO of Kochi Smart city Mission was the Chief Guest. A HQ officer bearer meeting was also held in that venue. National President Sri A Puhazhendi and National Officers attend the meeting.

A big flood happened in Kerala state on August, the heavy rains and opening of several dams in Kerala using for supply drinking water to Tamilnadu and also generating electricity and irrigation purpose to Kerala. Eight districts out of 14 were affected in the flood. Low lying areas are merged with water for a week, in some places was flooded for 20 to 30 days. Huge damages happened to the roads bridges etc. so many houses were vanished, several machinery and vehicles were damaged. Huge number of livestock also died.

The Builders and Contractors community especially Thiruvalla, Changanassery, Ettumanoor, Kottayam, Alleppey, Muvattupuzha, Angamaly, Kochi, Thrissur worked hard to help the people to evacuate from the flooded area. Our members contribute much by contributing their vehicles mostly tippers to convey human to safer area. Also helped by transporting food article to the camps. Several camps were managed by our people we worked as a hub to mobilise the materials. Several of our members, Centre Chairmans houses were merged with water.

Many of our tippers have altered the exhaust pipe above the cabin height and using that vehicle to transport humans. Our own members give front end loaders for cleaning the areas, our members give their tankers for giving drinking water and at last we the state committee decided to construct 25 houses in various districts with the help of our members our members contributed a huge.

All India BAI members BAI centres affiliated associations of BAI has contributed and formed a fund of Rs 80, 00,000 to the rehabilitation for the flood victims. We the members of BAI Kerala and people from Kerala are thankful to the generous hands of BAI leaders throughout India.

We the State committee has send several letter to the State Govt. Kerala and attend meeting held by Secretary PWD,

Finance, Irrigation, LSGD, Labour, Law Department Also attend the meeting held by Ministers for PWD, Irrigation, Finance, LSGL, Industries etc for the discussion related to construction Industry and also raised matters related to securities issue , payment issues and also against the price increase of cement and materials of construction. The State Chairman also lead a Dharna in front of Kerala State Secretariat against the cement price increase. The meeting was inaugurated by the opposite leader Sri. Omman Chandi MLA ex Chief Minister of Kerala.

We the State Committee decided to make representation about the steel classification by the minister of steel and send letter to the Chief Technical Examiner and represented through BAI HQ to Bureau of Indian Standard and Ministry of State. The HQ sent letter dated 19 September 2018 to Minister of Steel and Bureau of Indian Standard. Our member Kerala State Sri. Alex Peramli past State Chairman and State treasurer Sabu Cherian from Muvattupuzha Centre also attend the Bureau of Indian Standard meeting at Delhi and the Director General of Bureau of Indian Standard accept the matter and decided the Bureau of Indian Standard certificate is mandatory. No other classification will prevail.

We the state committee of Kerala decided to construct house to the needy with the financial aid and distributed as under from national fund. We decided to construct houses having 350sft with a construction cost of Rs 5 lakh.

Cost of Present

Thiruvalla Centre	3 house	3 x 5,00,000
Changanassery Centre	3 house	3 x 5,00,000
Alleppey Centre	3 house	3 x 5,00,000
Kottayam Centre	2 house	2 x 4,00,000
Ettumanoor Centre	2 house	2 x 4,00,000
Muvattupuzha Centre	2 house	2 x 4,00,000
Tripunithura Centre	1 house	1 x 4,00,000
Kochi Centre	1 house	1 x 4,00,000
Aluva centre	1 house	1 x 4,00,000
Angamaly Centre	3 house	3 x 4,00,000
Trissur Centre	2 house	2 x 4,00,000

The seventy percent for the construction cost will be bear from the fund collected at National level 30% will be from the BAI centres who construct the house. We also approved a plan and also fixed amount for each areas. Some centres done more homes for the poor. Now some are completed and some house construction is going. Lastly we have to thank the entire members of BAI for the contribution especially Gujarat contractors association.

A what's app group was formed on the time of flood and

coordinated by CIDC Chairman Dr. Swaroop and also by Trivandrum Centre Chairman Suresh Kumar, Jayachandran also our past National President Sri. Cheriyan Varkey, Geogy Joseph from Angamaly Centre, they handled the distribution of materials like cloths, food and house hold items received through airlift and by railway from the brothers of BAI fraternity all over India. If I mentioning the names it may be a big list so I don't mention that.

GAJA Cyclone

BAI President issued a letter to all members for their generous contribution to the people of Tamilnadu, who have been affected, by the unfortunate cyclone, namely 'GAJA'.

The letter is given below.

Ref: 641/N/2018-19 dated November 21, 2018

To:

**All Managing Committee and General Council Members of BAI
Chairmen of all BAI Centres.**

My Dear Fellow Builders,

Sub: "GAJA Cyclone" and its subsequent devastation in Tamil Nadu and Puducherry.

I am sure, by this time, you all must be in the know of the disastrous occurred in 8 districts of Tamil Nadu, Puducherry and Karaikal inflicted by "GajaCyclone", which have completely destroyed many villages.

The Cyclone has not only up-rooted many trees causing the disconnection of the electricity and destruction of houses, this unprecedented disaster have made thousands of people homeless and deprived them of their livelihood.

Friends, I feel this is the time for BAI members to show their large heart and stand united, at the national level, to support and uphold the affected people of Tamil Nadu and Puducherry, not only to rehabilitate them by providing shelter, but also should provide them with enough relief measures.

I, therefore request each Centre to collect donations from members and send the maximum contribution to BAI Headquarter, so that a consolidated Cheque could be issued to the State Government of Tamil Nadu and Puducherry or to any other Authorities as per the direction of the State Chairman of BAI, Tamil Nadu, Puducherry & Andaman Nicobar. You are requested to kindly send the Cheque in favour of "BUILDERS' ASSOCIATION OF INDIA" or make NEFT / RTGS payment to the following Bank Account Number of BAI, with a letter mentioning the amount is sent for 'GajaCyclone Fund for Tamil Nadu':-

A/c. Holder Name: BUILDERS' ASSOCIATION OF INDIA

Name of Bank & : STATE BANK OF INDIA

Branch Address : Ground Flr, B Wing, Jaywant Apt., 63, Tardeo Road, Mumbai - 400034

A/c. No. : 10529882158

A/c type : Current A/c

BSR Code : 18708

IFSC Code : SBIN0018708

MICR Code : 400002379

Your earliest action in the matter is earnestly requested.

Thanking you,

Yours faithfully,



A. PUHAZHENDI
President
Builders' Association of India

44th IFAWPCA Convention, Kuala Lumpur, Malaysia

A. Puhazhendi leads the largest delegation to the Convention

The 44th Convention of the International Federation of Asian and Western Pacific Contractors Associations (IFAWPCA) was held between 12th and 16th November, 2018 at the Kuala Lumpur Convention Centre (KLCC), Kuala Lumpur, Malaysia.

Master Builders' Association of Malaysia (MBAM), was the host for the 44th IFAWPCA Convention.

The Convention with the theme 'Strategic Alliance with Innovation & Human Capital' was held together with a 3-day exhibition – 'MBAM OneBuild', Malaysia International Construction & Infrastructure Technology Exhibition and 'Global Mega Wave' – Building & Construction Conference, which addressed issues revolving the construction industry at domestic and international level.

Mr. A. Puhazhendi, President, BAI was the 'Chief Delegate' of the 125 strong BAI Delegation.

The Opening Ceremony for the 44th IFAWPCA Convention took place on 13th November, 2018 at the Grand Ballroom of KLCC which started off with the entrance of Chief Delegates with their respective Associations' Flags. Mr. A. Puhazhendi had the proud privilege to carry the 'BAI Flag'.

Mr. A. Puhazhendi, addressed the '1st General Assembly' on 13th November, 2018 with a highly informative PowerPoint Presentation. The speech is printed herein below.

Mr. B. Seenaiyah, Past President, BAI and Mr. K. Vishwanathan, Past Vice-President, BAI were the 'Assembly Delegates' of BAI for the 44th IFAWPCA Convention.

Mr. S. Narasimha Reddy, was re-nominated as the 'Executive Board Member' representing BAI on the IFAWPCA Board for the term 2018-2020. He attended the '1st Executive Board Meeting' on 12th November, 2018 and '2nd Executive Board Meeting' on 14th November, 2018 as 'Executive Board Member' representing BAI on the IFAWPCA Board for the term 2016-2018. He attended the 'New Executive Board Meeting' on 15th November, 2018 as 'Executive Board Member' representing BAI on the IFAWPCA Board for the term 2018-2020'. He along with other newly elected 'Executive Board Members' representing other IFAWPCA members were administered 'Oath of Office' during the '2nd General Assembly & Closing Ceremony' on 15th November, 2018.

Mr. M. V. Antony, Past Secretary-General, IFAWPCA also attended the '1st Executive Board Meeting' on 12th November, 2018.

Mr. S. Narasimha Reddy and Mr. N. Sachitanand Reddy were presented the '5 Convention Attendance' Awards during the '2nd General Assembly & Closing Ceremony' on 15th November, 2018.

Mr. A. Puhazhendi also personally gave invitations to the 'Chief Delegates' of IFAWPCA member countries inviting them and their members to 'bauma CONEXPO INDIA 2018' – International Trade Fair for Construction Machinery, Building Material Machines, Mining Machines and Construction Vehicles, held between 11th and 14th December, 2018 in HUDA Grounds, Gurgaon, (Delhi NCR) Hararyana.

On 15th November, 2018, members of the BAI delegation gave an Indian cultural performance during the 'Farewell Dinner & Performances'. Mr. Datuk Matthew Tee, Imm. Past President, IFAWPCA and Mr. Mohamed Ali Janah, President, IFAWPCA graced the BAI performance along with Mr. A. Puhazhendi.

Members of the BAI delegation also visit interesting places in Kuala Lumpur.

About IFAWPCA

International Federation of Asian and Western Pacific Contractors' Associations (IFAWPCA) groups together the fraternity of builders from nineteen (19) member countries in the Asia and Western Pacific region. A dynamic international organization, IFAWPCA plays a critical role in promoting international fellowship and cooperation; in developing beneficial relationships between governments and contractors in the region, and in establishing cooperative working arrangements in the furtherance of civil and building construction projects.

The story of IFAWPCA, or the International Federation of Asian and Western Pacific Contractors' Associations, replicates the story of the regional construction industry after the 2nd world war.

A story which began with a vision, born in a region devastated by conflict—and whose people neither lost their faith to rebuild their lands, nor their courage to face the odds that loomed in the horizon.

A dynamic international organization, IFAWPCA plays a critical role:

- In promoting international fellowship and cooperation:
- In establishing cooperative working arrangements in furtherance of civil and building construction projects.

- In the exchange of ideas on construction/engineering technology;
- In developing beneficial relationships between governments and contractors in the region.

For over half a century, IFAWPCA pursued the need for exchange of ideas, experiences, and construction technology amongst its members and affiliates in different climates and geographical settings.

From its inception in Manila, Philippines in 1956, pioneered by only eight (8) founding members from Australia, China (Taiwan), Indonesia, Japan, Korea, Pakistan, Philippines and Singapore. IFAWPCA today groups the fraternity of builders in nineteen (19) countries of ASEAN and its neighbours, to the South-Asian capitals of New Delhi and Colombo

Objectives and Purposes

1. To bring closer contact, international fellowship and cooperation among the contractors in the countries and geographical areas in Asia and the Western Pacific.
2. Exchange information on engineering construction technology.
3. To develop and strengthen the relationship between governments and contractors with a view towards

finding mutually beneficial solutions to problems.

4. To establish, in accordance with the laws of the respective member countries/geographical areas, cooperative working arrangements in the furtherance of civil engineering/building construction projects.

Members of IFAWPCA

Bangladesh Association of Construction Industry
 Builders Association of India
 Cambodia Constructors Association
 Construction Association of Bhutan
 Construction Association of Korea
 Federation of Contractors Associations of Nepal
 Indonesia Contractors Association
 Maldives National Association of Construction Industry
 Master Builders Association Malaysia
 Master Builders Australia
 Mongolian National Constructors Association
 National Construction Association of Sri Lanka
 Overseas Construction Association of Japan, Inc.
 Philippine Constructors Association, Inc.
 Registered Master Builders Association of NZ Inc.
 Singapore Contractors Association, Ltd.
 Taiwan General Contractors Association
 Thai Contractors Association Under H.M. The King's Patronage
 The Hong Kong Construction Association, Ltd.



The 45 IFAWPCA Convention will be held in Maldives in 2020.

bauma CONEXPO INDIA 2018 scales new heights

- 700 exhibitors from 26 countries
- 39,173 participants (+0%)
- 195,000 square meters of exhibition space (+30%)

bauma CONEXPO INDIA 2018' the 5th International Trade Fair for Construction Machinery, Building Material Machines, Mining Machines and Construction Vehicles, be held between 11th and 14th December 2018 in HUDA Ground, Gurgaon, NCR, Haryana. BAI was the joint organizer. www.bcindia.com.

Nearly 700 companies from 26 countries presented their machines, products and innovative technologies for the construction industry. 39,173 leading industry professionals gathered at HUDA Ground in Gurgaon/Delhi. As India's construction machinery market booms, so does 'bauma CONEXPO INDIA' - thanks to transport and infrastructure initiatives.

"I am proud and very happy to announce that bauma CONEXPO INDIA 2018 was a great success. We saw growth in all areas. Together with our strong partner iCEMA (Indian Construction Equipment Manufacturers Association) we have prepared an excellent platform for the industry to present their products to the market. The partnership was crucial for our success and allowed us to align even more closely with the Indian construction machinery industry's needs. For me as an Indian and cosmopolitan it is not only a collaboration on a professional level, but also a matter close to my heart", says Mr. Bhupinder Singh, CEO of bC Expo India.

Mr. Arvind Garg, President of iCEMA, states: "iCEMA for the first time has partnered with bauma CONEXPO INDIA. All our members, 70 of us, have participated in bauma CONEXPO INDIA in indoor or outdoor exhibition spaces. bauma CONEXPO India is a good exhibition and an excellent platform for connecting with our valued

customers, especially those in the North. It has been a great opportunity for all of us, to work closely with our customers, and to come here and showcase the products and the solutions that we have to offer. We foresee that the partnership with bauma CONEXPO INDIA has great opportunity to mature into a relationship which will create value for both of us and our customers. We wish bauma CONEXPO INDIA all success."

Growth in all areas

Overall, bauma CONEXPO INDIA counted 39,173 participants, a growth of 20% compared to 2016. Mr. A. Puhazhendi, President, BAI - which is the joint organizer, emphasizes: "For our member companies throughout India, bauma CONEXPO INDIA is a must-attend event to stay informed about latest industry trends and new technologies." Apart from Indian visitors, the trade fair also welcomed buyer delegations from Bangladesh, Bhutan, Nepal, Sri Lanka and other countries in the region.

The Indian subcontinent offers excellent opportunities for doing business in the construction industry. Major infrastructure projects, the booming transport sector and urban development are just some of the driving forces of the market. With a growth of 30 % in space compared to 2016, bauma CONEXPO INDIA reflects the momentum of the industry. Mr. Vipin Sondhi, Managing Director and CEO, JCB India Ltd. was satisfied with the fair: "We are participating for the fourth time in bauma CONEXPO INDIA. The show has been successful for us as we have received a good number of meetings with business partners and potential clients. We have seen exponential growth of the trade fair and we are looking forward to participating in the next edition."

By 2025, India is expected to become the third largest market for the global construction industry. This growth is mainly attributable to large infrastructure projects. Over the next nine years, analysts expect an average real growth

of 6.2 % per year. According to forecasts, bulldozers, backhoe loaders and crawler excavators are going to see a massive increase in sales over the next five years.

Key players of the industry

The show featured again renowned companies such as ACE, Ajax Fiori Engineering, Case, Caterpillar, Doosan Bobcat, JCB, Kobelco, L&T, Liugong, PERI, Putzmeister, Sany, Schwing Stetter, Volvo, Wirtgen, Zoomlion and many more. First-time exhibitors included the Indian manufacturers Tata Hitachi, Escorts and the German company Kaeser Kompressoren. "We are participating in all bauma expos around the world. This platform is helping us to get enquiries from our customers and to learn about the Indian market", concludes Mr. Marco Angermueller, Kaeser's Global Sales Product Manager.

Newly introduced buyer-seller program

For the first time, bauma CONEXPO INDIA featured a Buyer Seller Forum, giving visitors the additional chance to network with potential business partners. The initiative proved to be a success and brought together technology providers and buyers in 3,023 meetings. Mr. Shashi Gaggar, Vice President UltraTech was enthusiastic: "As a regular visitor of bauma CONEXPO INDIA, I appreciate that the organisers arranged some of the sellers to meet me and have some fruitful discussions. This buyer seller forum will help to encourage business between sellers and buyers and it will increase the essence of such type of show in a long run."

Positive outlook for the next show

BC Expo India CEO Singh is already looking forward to the next show: "We will continue to work closely with the industry for further growth in the future!" The next bauma CONEXPO INDIA will take place 2020 in Delhi. For more information, please go to www.bcindia.com

BAI's XXIX All India Builders Convention

The Managing Committee Meeting held at Visakhapatnam on 4th August 2018, have unanimously accepted the proposal of BAI Eastern (Kolkata) Centre for hosting “XXIX All India Builders’ Convention” at Kolkata.

“XXIX All India Builders’ Convention” will be held at Vedic Village Spa Resort, Kolkata between 3rd – 5th January 2020.

BAI AWARDS 2017-18

Awardees of ‘BAI Awards 2017-18’ had been announced during the 77th Annual General Meeting of BAI held at Visakhapatnam on 4th August 2018, hosted by all Centres in Andhra Pradesh. The trophies were presented to the recipient Centres and individuals during the Managing Committee Meeting held at Gurgaon on 11th December 2018. The following is the list of awardees :-

- Overall Best BAI Centre (Below 200 Members) : Dindigul, Mysore and Delhi Centres.
- Overall Best BAI Centre (Above 200 Members) : Pune, Karnataka (Bangalore) and Mumbai Centres.
- Image Building Activities by a Centre : Madurai, Southern (Chennai), Muvattupuzha and Ghaziabad Centres.
- Organising Best Training Programme or Seminar : Tirunelveli and Tuticorin Centres.
- Maximum Membership Growth : Hyderabad and Ahmednagar Centres.
- Best Efforts by any Centre for Quality Construction: Pune Centre.
- Best Builders’ Day Celebrations : Durgapur, Ulhasnagar and Coimbatore Centre.
- Maximum Membership Retention : Eastern (Kolkata), Thanjavur, Ghaziabad, Chengalpattu, Vellore, Rajasthan (Jaipur) and Kanyakumari Centres.
- Best publication by a BAI Centre : Southern (Chennai) Centre
- Best performing Chairman of BAI’s functional Committees: Mr. K. Viswanathan, Chairman, Taxation, Royalty, Entry Tax, Direct Tax, and Indirect Tax.
- Best performing State Chairman : Mr. S.R. Swamy, State Chairman, Karnataka and Mr. Rajendra Athawale, State Chairman, Maharashtra.
- Best Vice President Award : Mr. R.N. Gupta, Vice President (North) and Mr. V.N. Varadharajan, Vice President (South Zone-II)

- Special Award for conducting XXVIII All India Builders’ Convention : Karnataka (Bangalore) Centre.
- Special Award for receiving ‘Honorary Member’ of American Concrete Institute. : Dr. S.K. Manjrekar.
- Special Award for receiving prestigious ‘World’s Great ‘ACCE(I)-GOURAV Award 2018’ : Mr..R.B. Suryavanshi.
- Special Award for receiving prestigious award ‘World’s Greatest Leaders 2017-18 Asia &GCC’ in the Best Leader’s Category. : Mr. Ranjeet R. More.
- Special Award for receiving ‘Viswakarma Award’ : Mr. A. Kasivisweswara Rao.

CHANGES OF GUARD AT BAI

BAI’s Organisational Elections for 2019-20 culminated on the 29th March 2019, Mr. Raju John, Executive Secretary, BAI officiated as the ‘Returning Officer’ for conducting the elections.

Mr. Sachin Chandra was unanimously elected as the President of BAI for 2019-20.

Mr. A. Puhazhendi, President, BAI (2018-19) formally announced the results of “BAI’s Organisational Elections for 2019-20” in the evening of 29th March 2019.

Results of the elections held for ‘Trustees of BAI for 2019-22’ were also announced. Mr. B. Sugunakar Rao, Mr. C.G. Deochake, Mr. Lal Chand Sharma, Mr. Mohanlal S. Katariya, Mr. O.K. Selvaraj, Mr. Ravindra Pradhan and Mr. V. Rajagopal were elected as ‘Trustees of BAI for 2019-22’.

In the afternoon of 30th March 2019, Mr. Lal Chand Sharma, Trustee and Past President, BAI, formally installed Mr. Sachin Chandra as President of BAI for 2019-20 by adorning him with the “BAI’s President’s Medallion of 2019-20.

Subsequently, Mr. A. Puhazhendi handed over the ‘BAI Key’ to Mr. Sachin Chandra, symbolizing handing over of charge.

A large number of senior functionaries of BAI from many Centres were present, which included BAI’s office-bearers for 2018-19 and 2019-20 also. An informal meeting of BAI office-bearers 2018-19 and 2019-20 was held in the late afternoon of 30th March, 2019.

BAI WEBSITE ‘www.baionline.in’

BAI launched its website ‘www.baionline.in’ at the Managing Committee Meeting at Nashik on 9th August 2008. With the launch of www.baionline.in, BAI too aims at giving its members top-of-the-line service.

As of now www.baionline.in offers the following services:

- ✓ All circulars meant for BAI Centres and senior functionaries will be hosted.
- ✓ Important Judgements, Circulars and Notifications by Government(s) and /or Departments will be hosted.
- ✓ Tender information.
- ✓ Latest Price Index Numbers.
- ✓ Construction industry related exhibition/trade fair information.
- ✓ Information on all publication of BAI and its Centres.
- ✓ Details of office-bearers of BAI.
- ✓ Links to important websites i.e. like minded national & international organisations, Government organisations concerning having dealings with construction industry, service providers, construction companies, etc.

BAI members / visitors can download :

- ✓ BAI Constitution (BAI Rules & Regulations)
- ✓ Membership Application Form
- ✓ Membership Data Updation Form

BAI members can get their membership number through www.baionline.in.

Services to be introduced over a period, include :

- ✓ Website based email service to BAI members.
- ✓ 'News & Discussion Board' – news concerning the construction industry will be hosted and members/visitors can air their opinion on the same.
- ✓ 'Meeting Room' – akin to the concept of 'chatting', senior functionaries can hold meetings via video conferencing.
- ✓ Archives of 'Indian Construction' and other publications by BAI Centres.
- ✓ Total detailed membership database of BAI.

'Wheeling & Dealing' – is a platform for BAI members and others for offering machinery to be given on hire or request machinery on hire / offer specialised service or request for specialised service, etc.

FINANCE OF THE ASSOCIATION:

The Headquarter, due to its better financial discipline, was generating surplus for the last 17 years and the current year also we have a surplus of Rs._____.

This is a major achievement, though there was a marked decline in interest income. It is also a fact that, the Trustees are prompt and alert in keeping the Fixed Deposits with Banks which offers the highest return.

FUNCTIONS OF BAI HEADQUARTER OFFICE:

BAI Headquarter and BAI Delhi Office with a stall of 14 members functioning exceptionally well under the control of Executive Secretary, Mr. Raju John.

MEETINGS :

During the financial year 2018-19 under report, 4 (Four) Managing Committee and 4 (Four) General Council Meetings were held at :

1. Madurai on 25th May 2018. (MC & GC)
2. Visakhapatnam on 4th August 2018. (MC & GC)
3. Gurgaon on 11th December 2018. (MC & GC)
4. Durgapur on 23rd February 2019. (MC & GC)

BAI MEMBERSHIP / AFFILIATIONS

- Affiliated to International Federation of Asian & Western Pacific Contractors' Associations (IFAWPCA), Philippines.
- Founder Member of Construction Industry Development Council (CIDC), New Delhi.
- Member of IMC Chamber of Commerce & Industry, Mumbai.
- Member of Indian Council of Arbitration, New Delhi.
- Member of Employers' Federation of India, Mumbai.
- Member of Indian Roads Congress.
- Member of Federation of Indian Chambers of Commerce & Industry, New Delhi.
- Member and Promoter of Construction Skill Development Council of India (CSDCI), New Delhi.

BAI's REPRESENTATIVES ON VARIOUS COMMITTEES.

- Shri A. Puhazhendi, President, BAI as Member, Board of Governors of National Institute of Construction Management & Research (NICMAR).
- Shri A. Puhazhendi, President, BAI as Member, Board of Governors of Construction Industry Development Council (CIDC).
- Shri A. Puhazhendi, President, BAI as Member, Board of Governors of National Academy of Construction (NAC).

- Shri B. Seenaiyah, Member, Review Committee for Contract Management System formed by Ministry of Statistics & Programme Implementation (MOSPI).
- Shri A. Puhazhendi, President, BAI, as Member, National Council of Construction Federation of India (CFI).
- Shri A. Puhazhendi, President, BAI in the focus group formed for WTO.
- Shri A. Puhazhendi, President, BAI as a Chief Delegate of 44th IFAWPCA Convention.
- Shri Sushanta Kumar Basu represent BAI on the Working Group of Construction constituted by Planning Commission for the 12th Five Year Plan (2012-17).
- Shri S. Narsimha Reddy as Board Member on the Executive Board of IFAWPCA.
- Shri Mahesh M. Mudda on the Expert Committee and SHri Neerav Parmar on the State Level Advisory Committee of Building & Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996 for Government of Maharashtra.
- Dr. Anand J. Gupta on Central Advisory Committee constituted by the Ministry of Labour, Government of India, under the Building and Other Construction Workers (Regulation of Employment and Conditions of Service) Act 1996.
- Shri H.S. Pasricha, Member, Central Advisory Contract Labour Board, Ministry of Labour, Government of India.
- Shri R.N. Gupta. Member, Central Public Works Department (CPWD) Technical Committee.
- Shri R.N. Gupta & Shri Rajiv Goel, Member, Ministry

of Housing & Urban Affairs (MoHUA), Ministry of Human Resource Development (MHRD).

OFFICES OF BAI CENTRES

There has been a growing trend amongst BAI Centres to go in for their own office premises, with facilities for conducting meetings, training, etc. The premises owned by these Centres are registered under the name of "Trustees Builders' Association of India".

As on date, the Centres who have their own office premises are Andhra Pradesh (Hyderabad), Delhi, Eastern (Kolkata), Karnataka (Bangalore), Nanded, Nashik, Pune, Rajasthan (Jaipur), Sangli and Southern (Chennai).

INDIAN CONSTRUCTION' JOURNAL

Shri Neerav Parmar was the Chairman, Indian Construction Journal Committee for 2018-19. The printing of the magazine has been continued with a marked change and your journal is becoming more and more popular.

The journal has admittedly established a *numero-uno* position in construction related trade magazines as is evident from non-member subscribers, which includes, Engineering Institutes, Government Departments and Undertakings including many Works Authorities.

The Association is also sending around 1000 complimentary copies to like-minded organisations in the country and abroad, Government Authorities Engineering Colleges, Department Heads, Works Authorities etc. The rising paper, printing and postal costs coupled with low advertisement revenue forces BAI General Fund to cross subsidise the publication as it is not self sufficient.

BAI MEMBERSHIP SUBSCRIPTION 2018-19

The subscription for various categories of membership with the Association were as follows:-

Annual Membership:

Annual Subscription	Rs. 2,904
Entrance Fee	Rs. 100
'INDIAN CONSTRUCTION'	Rs. 200
GST	Rs. 541
Total	Rs. 3,745

Patron Membership

One time Subscription - Membership for 20 (Twenty) years.	Rs.25,000
'INDIAN CONSTRUCTION'	Rs. 200
GST	Rs.4,500
Total	Rs.29,700

Affiliated Association Membership

Annual Subscription	Rs. 5,324
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Entrance Fee	Rs. 500
'INDIAN CONSTRUCTION'	Rs. 200
GST	Rs. 1,048
Total	Rs.7,072

Affiliated Association - Patron Membership

Membership (One time Subscription)	Rs.30,000
'INDIAN CONSTRUCTION'	Rs. 200
Service Tax	Rs. 4,500
Total	Rs.34,550

Corporate Membership

Membership (One time Subscription)	Rs.3,00,000
Annual Subscription	Rs. 10,000
Service Tax	Rs. 46,500
Total	Rs.3,56,500

NEW CENTRES

For the year 2018-19, BAI opened Centres at Karnavati in Gujarat State, Pink City Jaipur in Rajasthan, Guntur in Andhra Pradesh, Vikarabad and Yadadri in Telangana, Poonamallee, Tambaram and Udumalpet in Tamil Nadu. 2018-19 was an eventful year for BAI as far as growth of the BAI movement is concerned.

MEMBERSHIP STRENGTH

As on 31st March 2019, the membership was 18,762, which included 15,358 Patron Members 3,404 Annual Members.

BUILDERS' DAY 2018

The theme for the "Builders' Day 2018" was "INNOVATIVE TECHNIQUES IN MODERN CONSTRUCTION" and the write up was

Innovative Construction Techniques and materials used in all infrastructure and real estate projects play an important role in its completion. Construction deals with materials and if the best of the material is used it will make the quality of the project sustainable. The housing sector

needs to adopt modern construction techniques to reduce housing shortfalls. Faster construction is a boon for all because the longer the construction timelines, the higher their cost of borrowing funds and so it is beneficial to all.

Construction time may be reduced and the strength and quality of the building boosted if new techniques are used. Materials could be around 20% more expensive than traditional techniques, particularly in small projects. But higher efficiencies, less wastage and lower labour costs could curb the overall costs in large projects. The need for auxiliary services such as plastering, electrical wiring and plumbing may also be redundant because these are taken care of during the casting stage. Also in real estate one can see a rising demand for housing and improvement in techniques will increase acceptance. Experts say prefabricated construction techniques, quite common in developed countries, will become popular in India too. Construction and civil engineering activities have experienced a boom due to innovative building materials in India.

Builders' Day was celebrated by almost all Centres in a befitting manner.

OBITUARIES

The Association lost the following members who left for the heavenly abode. BAI in their death has lost sincere and hardworking members.

- Shri Ganpatrao Morge, Past Chairman of BAI Nanded Centre, expired on 2nd March 2018.
 - Shri Prem Sehgal, Past Chairman of BAI Jamshedpur Centre, expired on 16th March 2018.
 - Shri Sudhir Patel, former Executive Director of M/s. The Modern Construction Co. Ltd., Patron Member of BAI, expired on 20th March 2018.
 - Shri Rajpal Arora, Hon. Secretary and Managing Committee Member-Elect for 2018-19 of BAI Delhi Centre, expired on 28th March 2018.
 - Shri Abhay Jambekar, Past General Council Member of BAI Mumbai Centre, expired on 30th March 2018.
 - Shri A.V.N. Raju, Past Chairman, BAI Puducherry Centre, expired on 1st May 2018.
 - Shri Y. Mohan Reddy, Chairman, BAI Mahabubnagar Centre, expired on 3rd July 2018.
 - Shri P.K. Ramachandran, Past Vice President & Past Trustee, BAI, expired on 4th July 2018.
 - Shri C. Ramesh Reddy, General Council Member from BAI Hyderabad Centre (Son of Late Shri C. Raghava Reddy, Past President, BAI), expired on 22nd July 2018.
 - Shri D. Kamath, Senior Member of BAI Amravati Centre, expired on 26th July 2018.
 - Shri A. Chokalingam, Chairman, BAI Thiruthuraiipoondi Centre, expired on 10th October 2018.
 - Shri S. Nethaji, Past Hon. Joint Secretary, BAI Southern (Chennai) Centre, expired on 16th October 2018.
 - Shri C. Ramakrishna Reddy, Patron Member of BAI Hyderabad Centre (Father of Shri C. Arvind Reddy, present General Council Member of Hyderabad Centre), expired on 7th November 2018.
 - Shri Ilangovan, Past Chairman of BAI Puducherry Centre, expired on 10th November 2018.
 - Shri Harishankar Shau. Patron Member from BAI Durg-Bhilai Centre, expired on 15th November 2018.
 - Shri P.A. Jose, Founder Patron Member of BAI Kochi (Cochin) Centre, expired on 5th December 2018.
- Shri Vishnubhai Mafatlal Patel (Promoter of M/s. Sadbhav Engineering Limited), Patron Member of BAI from Gujarat (Ahmedabad) Centre, expired on 25th December 2018.
- Shri Sandesh Mundra, Chairman, Taxation Committee, expired on 29th December 2018.
- Shri Md. Firoz, Chairman, BAI, Kanker Centre of Chattisgarh State, expired on 3rd January 2019.
- Shri Ketty Ottathyckal, Member of BAI Muvattupuzha Centre, expired on 27th January 2019.
- Shri Jitendra Bhandari, Chairman-Elect, BAI, Durg-Bhilai Centre for 2019-20, expired on 17th February 2019.
- Shri K. Appukuttan Nair was the founder of M/s. Ambika Constructions, Chelavoor, Calicut Centre – Patron Member (Father of Shri K. Satheeshkumar, former Chairman of BAI Calicut Centre), expired on 4th March 2019.
 - Shri N. Selvaraj, Member, BAI Tiruchirappalli Centre, expired on 26th March 2019. He was elected as a Member of the Lok Sabha in 1980–84. He was Minister for Forests, Government of Tamil Nadu from 2006 till 2011.
 - Shri Harshad Bhayani, Past Managing Committee Member, BAI Mumbai Centre, expired on 26th March 2019.

**Attendance Sheet forming part of Annual Report for the year 2018-19 Attendance
(Out of Four Meetings)**

Name	Attendance	Name	Attendance
Shri A. Puhazhendi, President	4	Shri Rajendra Singh Kamboh, Vice President	4
Shri O.P. Sharma, Vice President	4	Shri CH Ramakotaiah, Vice President	4
Shri M. Thirusangu, Vice President	4	Shri Pratap B. Salunkhe, Vice President	4
Shri Neerav Parmar, Hon. Gen. Secretary	4	Shri Pradeep Nagawekar, Hon. Gen. Treasurer	3
Shri H.N. Vijaya Raghava Reddy, Imm. Past President	3		
State Chairmen / State Co-ordinators			
Shri V. Venkateswara Rao (Andhra Pradesh)	3	Shri Sanjib Goel (Assam)	2
Shri K.Chandrasekhar Rao (Chattisgarh)	3	Shri Ram Avtar (Delhi)	3
Shri Nimesh D. Patel (Gujarat)	3	Shri Rajiv Goel (Haryana)	4
Shri Chandrakant Raipat (Jharkhand)	4	Shri K.S.Someshwara Reddy (Karnataka)	2
Shri Paul T. Mathew (Kerala)	3	Shri Vilas K. Birari (Maharashtra)	2
Dr. Santosh Katiyar (Madhya Pradesh)	2	Shri Pradeep Kumar Jain (Rajasthan)	-
Shri S. Ayyanathan (Tamil Nadu)	4	Shri D.V.N. Reddy (Telangana)	4
Shri Ravindra Tyagi (Uttar Pradesh)	2	Shri Surojit Samanta (West Bengal)	2
Members of the Managing Committee			
Shri Abhay M. Garde	1	Shri Baburao L. Shakkarwar	3
Shri Bhopinder Lal	2	Shri C.K.S. Panicker	4
Shri D. Kempanna	1	Shri D.R. Sekar	2
Shri G. Diwakar	1	Shri G. Thilagar	1
Shri K. Annamalai	1	Shri M. Dhandavkrishnan	2
Shri Mathew Alex Vellapally	2	Shri N. Shanmugam	1
Shri N. Sivakumar	-	Shri N.R. Prashar	-
Shri N.S. Muralidhara	2	Shri P. Narasimha Rao	1
Shri P. Subramani	3	Shri P.P. John	1
Shri Prabir Kumar Mukherjee	2	Shri R. Sivakumar	3
Shri R.R. Sridhar	-	Shri Rajendra S. Athawale	1
Shri V. Santosh Babu	2	Dr. Tarro T. Manghnani	4
Shri V.S.K. Moorthy	2	Shri V.S. Jayachandran	2
Shri B. Suganakar Rao	1	Shri Y. Ishwar Rao	-
Shri C.G. Deochake	3	Shri Basavaraj S. Totad	2
Shri Joji Joseph	2	Dr. Dharmesh C. Awasthi	4
Shri K. Subramani	2	Shri K. Rajavel	1
Shri K.J. George	-	Shri K. Venkatesan	3
Shri Mahesh M. Mudda	-	Shri L. Shanthakumar	4
Shri N.M. Patel	3	Shri Mohanlal S. Katariya	-
Shri Narendra Kumar	3	Shri Najeeb Mannel	2
Shri R. Rajasekar	1	Shri Prakash H. Menda	3
Shri S. Ganapathi	4	Shri Ravindra Pradhan	4
Shri S. Ramaprabhu	4	Shri S. Narasimha Reddy	4
Shri V. Satyamurthy	1	Shri T.V. Chandrasekaran	1
Shri V. Unnikrishnan	4	Shri V. Srinivasa Murthy	3

Name	Attendance	Name	Attendance
Representatives of Affiliated Association Members			
Shri Arvind V. Patel	-	Shri Andrew Vethanayagam	1
Shri B. Ramesh	1	Shri A.S. Rajasekharan	1
Past President			
Shri B.N. Dikshit	1	Shri H.S. Dugal	-
Dr. Brahm Datt	-	Dr. Shriprakash Goel	1
Shri V. Ramachandran	1	Shri R. Radhakrishnan	3
Shri A.K. Yussouf	3	Shri P.R. Mundle	-
Shri Ajit Gulabchand	-	Shri S.A. Vichare	-
Shri Lalit Sangtani	-	Shri Bhagwan J. Deokar	4
Shri Cherian Varkey	1	Shri B. Seenaiiah	2
Shri S.K. Basu	4	Shri Lal Chand Sharma	4
Shri Avinash M. Patil	3		
Members co-opted to Managing Committee			
Shri V.M. Fazal Ali	-	Shri S.K. Pradhan	1
Shri S.I. Chunkhare	2	Shri Jagdish M. Parekh	1
Shri P. Jayapal	1		
Vice Presidents Nominee			
Shri O.K. Selvaraj	3	Shri Ashok Kumar Chandak	3
Shri Ramesh Marda	1		
Trustees			
Shri Ashok K. Choudhary	2	Shri Lal Chand Sharma	4
Shri K. Ramanujam	2	Shri N. Sachitanand Reddy	2
Shri R. Subburaman	3	Shri Ram M. Bhatia	3
Shri Vijay Jagannath Devi	2		
Special Invitee			
Shri D.K. Banerjee	-	Shri Ram Chandra Singh Chouhan	-
Shri A. K. Srivastava	-	Shri Ramesh Marda	1
Shri Ashis Kumar Mondal	1	Shri G.D. Bhattad	-
Shri Partha Sarathi Dasgupta	1	Shri Chandan Dey	1
Shri Vinay Bajoria	-	Shri Niraj Tyagi	1
Shri Hariom Bhardwaj	2	Shri Y. Chaudhary	-
Shri Jai Kumar Agarwal	-	Shri K. Rama Rao	1
Shri V. Bhaskar Reddy	1	Shri K. Appi Reddy	-
Shri B. Adinarayana Reddy	1	Shri N.C. Sundaramurthy	-
Shri S. Shiva Prakash	2	Shri S. R. Swamy	1
Shri N.P. Vishwanath	1	Shri S. Umesh	1
Shri S. Prabhu	-	Shri R. Elancheran	-
Shri K. Padmanabhan	1	Shri R. Ramesh	2
Shri Y. Srinivasan	1	Shri C. Sathishkumar	1
Shri T.V. Ramakrishnan	1	Shri S. Wilfred	2
Shri G. Pandurangan	1	Shri S. Balaji	2
Shri K.R. Saravanan	-	Shri John C. Antony	1
Shri V. Chandrasekaran	1	Shri K. Manivannan	2

Name	Attendance	Name	Attendance
Shri M. Veeramarban	-	Shri Meenakshi Sundaram	1
Shri M. Rathinavel	-	Shri K.B. Sarveswararaja	-
Shri K. Sivakumar	1	Shri S.A.P.R. Karthick	-
Shri J. Ramakrishnan	1	Shri K. Chandrasekar	-
Shri M. Imayavaramban	-	Shri C. Rajaram	-
Shri N. Sriram	-	Shri G. Srinivasan	-
Shri K. Panneer Selvam	1	Shri V. Sivarajan	1
Shri M. Sellappan	-	Shri V. Sudarshan	4
Shri. MVG Jawagar	1	Shri K. Selvadurai	-
Shri A. Nazurudeen	-	Shri D. Jegadeesan	-
Shri R. Venkatesan	1	Shri R. Srinivasan	-
Shri A. Rajan	-	Shri P. Justin Paul	-
Shri Nixon Ghana Dhas	1	Shri B. Palanivel	-
Shri V. Ayyamperumal	1	Shri K. Subramanian	-
Shri K. Shanmugaraj	-	Shri K. Vetrivelraj	-
Shri S. Veerasamy	-	Shri V. Senthilkumar	-
Shri V. Srinivasan	-	Shri A. Arivoli	-
Shri R. Sivakumar	3	Shri S.S. Manivaradharaj	-
Shri R. Karunanithi	-	Shri R. Mouraly	2
Shri S. Sankar	1	Shri C. Vaithianathan	1
Shri Anil B. Sonawane	-	Shri Prakash N. Dewalkar	1
Shri Manish M. Bang	-	Shri Rajendra M. Upadhye	1
Shri Uday N. Gokhale	1	Shri Mahesh Gangadhar Mahajan	-
Shri Rajendra Bhupal Khanderajure	-	Shri Harshad N. Bhayani	-
Shri Joshy Joseph	1	Shri Rajendra Mulchand Gothi	1
Shri Mahesh R. Mirani	1	Shri Siddharth Shah	-
Shri Jaideep P. Raje	1	Shri Mohan D. Bhate	1
Shri Sukumar F. Chougule	2	Shri Suresh B. Patil	2
Shri Vinod Gamdiwala	1	Shri Ashok Bhagwandas Gwalani	-
Shri Vijay R. Patel	-	Shri Birendrasingh K. Bhadoriya	-
Shri N. Raghunathan	2	Shri N. Ramadoss	2
Shri CT. Annamalai	1	Shri Surendra Sharma	-
Shri P. Shivakumar	-	Shri M.M. Mohandas	-
Shri Geordy K. Abraham	1	Shri Sabu Cherian	1
Shri K.D. George	1	Shri P. Palani	1
Shri M. Babu	2	Shri Jaysing N. Salunke	1
Shri M. Ranganathan	-	Shri G. Elangovan	2
Shri Ravi Kumar Kheria	-	Shri J.R. Sethuramalingam	-
Shri Ram Janam Singh	-		
Chairpersons of Committees			
Dr. Tarro T. Manghnani	4	Shri K.L. Mohan Rao	1
Shri K. Subramani	2	Shri R. N. Gupta	2
Shri L. Moorthy	3	Shri K. Sriram	3
Shri B. Seenaiiah	2	Capt. A. Mohan	1

Name	Attendance	Name	Attendance
Shri Lal Chand Sharma	4	Shri V. Ramachandran	1
Shri H. N. Vijaya Raghava Reddy	3	Shri Sushanta Kumar Basu	4
Shri Mahesh M. Mudda	-	Shri Avinash M. Patil	3
Shri Tarun Ghia	-	Shri Aniruddha Nakhawa	2
Dr. C. Ashokan	-	Shri V.N. Varadharajan	2
Dr. Rajiv B. Krishnani	3	Shri Sandesh Mundra	
Dr. D. Thukkaram	2	Shri M.V. Antony	-
Dr. Anand J. Gupta	3	Shri N.S. Muralidhara	3
Shri Rajiv Goel	4	Shri Neerav Parmar	4
Shri V.G. Sakthikumar	-	Dr. Dharmesh C. Awasthi	4
Shri Ranjeet R. More	1	Shri S. Narasimha Reddy	4
Shri Charanjit Singh Parhar	2	Shri Arvind V. Patel	-
Shri R.P. Selvasundaram	-	Shri R. Murugan	1
Shri V. Ramachandran	1	Smt. P. Punithavathi	1
Shri John Paul K.	2	Lion Er. M. Dhandavakrishnan, MJF	2
Shri Alex P. Cyriac	3	Shri K. Viswanathan	3
Co-Chairpersons of various Committees			
Shri M.A. Jesu Raja Rajan	1	Shri C.M. Mathew	-
Shri P.N. Sivasankararaja	1	Shri S.S. Natarajan	-
Shri Sanjay Tyagi	3	Shri K. Padmanabhan	1
Shri Sabu Thomas	1	Shri D.V.N. Reddy	-
Shri S. I. Chunkhare	2	Shri V. Srinivasa Murthy	3
Shri Sudhir Dnyandeo Gharge	-	Shri G. Ramamoorthi	4
Shri M. Sitharthan	-	Shri J. Sankaran	1
Shri P. Janakar	-	Shri Mohanlal S. Katariya	-
Shri Narendra Kumar	3	Shri S.K. Sunil	-
Shri R. Vijayamurugan	1	Shri K. Ramesh	-
Shri Ravi Gupta	-	Shri P. Subramani	3
Shri A. Arivoli	-	Shri Narendra Kumar	3
Shri Gyan Madhani	2	Shri Mahendra Kumar Sethi	1
Shri Ram Avtar	-	Shri N. Sivakumar	1
Shri G. Ram Ganesh	1	Shri P. Narasimha Rao	3
Shri R.B. Suryavanshi	2	Shri Jagannath Jadhav	2
Shri G. Srinivasan	-	Shri S.D. Kannan	-
Name of Centre Chairmen			
Shri Bhavesh Kumar (Patna Centre)	1	Shri Vidya Sagar Bhatt (Dhanbad Centre)	1
Shri Bipin Bihari Prasad (Jamshedpur Centre)	1	Shri Sanjeet Kumar Singh (Jharkhand (Ranchi) Centre)	-
Shri Ajit Singh Alag (Durgapur Centre)	1	Shri Subrata Das (Eastern (Kolkata) Centre)	1
Shri Shyama P. Banerjee (Haldia Centre)	1	Shri Suresh Agarwalla (Guwahati Centre)	-
Shri Ranadhir Basu (Silchar Centre)	-	Shri Harish Kumar Keshwani (Tezpur Centre)	-
Shri H. S. Pasricha (Delhi Centre)	1	Shri Niranjan Kumar Garg (Delhi East Shahdara Centre)	1
Shri Sanjeev Bansal (Delhi North Centre)	4	Shri Amarjeet Singh Abbot (Delhi South Centre)	-

Name	Attendance	Name	Attendance
Shri Abhay Goel (Delhi West Centre)	-	Shri Umesh R. Acharya (Gurgaon Centre)	1
Shri Siddharth Khosla (Faridabad Centre)	-	Shri Azad Singh (Karnal Centre)	-
Shri Raju Gaba (Kundli Centre)	-	Shri Sandeep Gupta (Chandigarh Centre)	-
Shri Rameshwar Dayal Khandelwal (Rajasthan (Jaipur) Centre)	1	Shri Subham Jain (Greater Jaipur Centre)	-
Shri Surendra Khandelwal (Pinkcity Centre)	-	Shri Rajeev Khattar (Agra Centre)	-
Shri J.P. Tiwari (Allahabad Centre)	-	Shri Rajeev Agarwal (Aligarh Centre)	-
Shri Varun Tyagi (Bagpat Centre)	-	Shri Ashok Kumar Sharma (Bareilly Centre)	2
Shri Ravinder Nagar (Gautam Budh Nagar Centre)	1	Shri Sanjay Tyagi (Ghaziabad Centre)	3
Shri Satish Kasana (Greater Noida Centre)	1	Shri Devendra K. Sharma (Hapur Centre)	1
Shri Sanjiv Dixit (Kanpur - South Centre)	-	Shri Yoginder Kasana (Loni Centre)	1
Shri Manveer Tyagi (Meerut Centre)	1	Shri Ajay Tyagi (Meerut Cantt. Centre)	-
Shri Sanjeev Garg (Modi Nagar Centre)	-	Shri Ajay Sharma (Moradabad Northern Railway Centre)	-
Shri Yash Tyagi (Muzaffarnagar Centre)	-	Shri Dinesh Sharma (Sitapur Centre)	1
Shri Ankur Singhal (Western UP Electrical Centre)	1	Shri A. Nagamalleswara Rao (Amaravati Centre)	2
Shri B. Malyadri Reddy (Nellore Centre)	1	Shri Gali Subbaraju (Rajahmundry Centre)	-
Shri M. Anjaneya Reddy (Ravulapalem Centre)	-	Shri K.V.S. Buchirayudu (Tanuku Centre)	2
Shri B. Raghava Rao (Vijayawada Centre)	2	Shri A. Kasivisweswara Rao (Visakhapatnam Centre)	4
Shri Nekkalapu Nageswara Rao (Vizag Steel City Centre)	-	Shri M. Ravinder Rao (Adilabad Centre)	1
Shri G. Jayasimha Reddy (Greater Hyderabad Centre)	1	Shri P. Janardhan Reddy (Hyderabad Centre)	-
Shri L. Narsing Rao (Kamareddy Centre)	-	Shri P. Devender Reddy (Karimnagar Centre)	2
Shri Kilaru Rama Krishna (Khammam Centre)	-	Shri Y. Gopal Reddy (Mahaboobnagar Centre)	-
Shri G. Srinivas Reddy (Medak Centre)	-	Shri S. Sathyanarayana (Nalgonda Centre)	2
Shri M. Surender Rao (Nizamabad Centre)	1	Shri S. Giriprasad Reddy (Ranga Reddy Centre)	-
Shri Manda Ilaiah (Warangal Centre)	2	Shri S. Rajappa (Chitradurga Centre)	-
Shri S.K. Nagendran (Hassan Centre)	1	Shri Srinivasa Reddy (Karnataka (Benglore) Centre)	4
Shri K. Subramanya Rao (Mysore Centre)	2	Shri S.P. Patil (Shimoga Centre)	3
Shri Tomy Pulickattil (Alleppey Centre)	1	Shri Abdul Rahiman (Aluva Centre)	-
Shri Charles J. Thayil (Angamaly Centre)	2	Shri K.R. Sunil (Calicut Centre)	-
Shri Joby Joseph (Changanacherry Centre)	2	Shri Joby Kurian (Ettumanoor Centre)	2
Shri S. Suresh Kumar (Kerala (Trivandrum) Centre)	2	Shri Zachariah Abraham (Kochi (Cochin) Centre)	-
Shri V.M. Meheboob Ali (Kodungallur Centre)	-	Shri Jaikumar Tharamel (Kollam Centre)	2
Shri Stanley Scaria (Kottayam Centre)	2	Shri Rajesh Mathew (Muvattupuzha Centre)	-
Shri Radheshyam Khandelwal (North Malabar Centre)	-	Shri John Philip (Thiruvalla Centre)	-
Capt. George Thomas (Thripunithura Centre)	3	Shri Sujith Sreenivasan (Thrissur Centre)	1
Shri M. Ravi (Chengalpattu Centre)	3	Shri V. Xavier Antonyraj (Chettinadu Centre)	-
Shri K. Chinnaswamy (Coimbatore Centre)	2	Shri P. Janakar (Dindigul Centre)	1
Shri R.P. Selvasundaram (Erode Centre)	2	Shri B. Ashok (Kallakurichi Centre)	-

Name	Attendance	Name	Attendance
Shri J. Jeyapaul (Kanyakumari Centre)	2	Shri K. Marichamy (Kodaikanal Centre)	1
Shri S. Gopalan (Kumbakonam Centre)	1	Shri K. Ramesh (Madurai Centre)	1
Shri K. Yuvaraj (Maduranthagam Centre)	-	Shri N. Kumar (Mayiladuthurai Centre)	2
Shri A. Nawab John (Nagapattinam Centre)	-	Shri K. Venkatachalam (Namakkal Centre)	1
Shri V. Perumal (Neyveli Centre)	-	Smt. P. Punithavathi (Nilgiri Centre)	1
Shri S. Sultan Ibrahim (Perambalur Centre)	-	Shri A. Rajesh (Ponneri Centre)	-
Shri M. Ramesh Kumar (Pudukkottai Centre)	3	Shri N. Anandhan (Ramanathapuram Centre)	1
Shri K. Muruganandam (Salem Centre)	-	Shri L. Venkatesan (Southern (Chennai) Centre)	3
Shri S. Vaithiyanathan (Thanjavur Centre)	3	Shri A. Zahir Hussain (Theni Centre)	1
Shri N. Thirumalairajan (Thiruvarur Centre)	-	Shri P. Sivagnanam (Tiruchirappalli Centre)	2
Shri S. Jayabalan (Tirupur Centre)	1	Shri G. Sokkanathan (Tirunelveli Centre)	1
Shri G.P. Ravichandran (Tiruvallur Centre)	2	Shri P. Velayutham (Tuticorin Centre)	3
Shri B. Ramamoorthi (Vellore Centre)	1	Shri J. Immanuel Koilraj (Andaman & Nicobar Centre)	-
Shri N.K. Gunasekarane (Puducherry Centre)	1	Shri R.G. Babuji (Karaikal Centre)	1
Shri Nitin Sihare (Bilaspur Centre)	-	Shri Kanwaljeet Oberoi (Durg-Bhilai Centre)	1
Shri Rohit Kumar Chawla (Jagdalpur Centre)	2	Shri Prakash Jadwani (Raipur Centre)	-
Shri Niresh P. Naik (Goa Centre)	-	Shri Sanjay Shah (Vadodara Centre)	-
Shri Jayesh Patel (Bharuch Centre)	-	Shri Paresh Vachhani (Gandhinagar Centre)	2
Shri Dinesh Kumar Patel (Gujarat (Ahmedabad) Centre)	3	Shri Bhupatbhai T. Panchani (Rajkot Centre)	-
Shri Ashin Shrivastava (Bhopal Centre)	1	Shri Omprakash Vijayvargiya (Indore Centre)	-
Shri Charanjit Singh Chadha (Jabalpur Centre)	-	Shri Mahesh P. Gundecha (Ahmednagar Centre)	2
Shri Rajivkumar M. Bhele (Amravati Centre)	-	Shri Sunil Deshmukh (Baramati Centre)	-
Shri K. Rajakumaran Nair (Butibori (Nagpur) Centre)	1	Shri Shitalkumar Mohan Nawle (Dhule Centre)	-
Shri Mohan D. Satpute (Ichalkaranji Centre)	3	Shri Anil Bhaidas Patil (Jalgaon Centre)	-
Shri Rajeev Suhas Lingras (Kolhapur Centre)	-	Shri V.M. Reddy (Latur Centre)	-
Shri Dhirenkumar T. Pagar (Malegaon Centre)	-	Shri Gyan Madhani (Mumbai Centre)	2
Shri Sanjay Gupta (Nagpur Centre)	1	Shri Naresh Painjane (Nanded Centre)	2
Shri Gopal Atal (Nashik Centre)	-	Shri Rahul Laxman Nalawade (Phaltan Centre)	-
Shri Pradeep L. Garge (Pune Centre)	4	Adv. Rajiv A. Sable (Raigad Centre)	-
Shri Shripal A. Khemalapur (Sangli Centre)	1	Shri Sayaji Shivajirao Chavan (Satara Centre)	1
Shri Kishor Kashinath Patel (Shahada Centre)	-	Shri Dattatray S. Mule (Solapur Centre)	-
Shri Deepak B. Bhojwani (Ulhasnagar Centre)	3	Shri Anil Laxman Sawant (Wai Centre)	-

Team 2019-20

President

Mr. Sachin Chandra

Vice Presidents

Mr. Surojit Samanta
Mr. K. Sriram (South-I)

Mr. O.P. Sharma
Mr. Mathew Alex Vellapally

Mr. Nimesh D. Patel

Hon. Gen. Secretary

Mr. Neerav Parmar

Hon. Gen. Treasurer

Mr. Pradeep G. Nagawekar

State Chairman	(Andhra Pradesh)	:	Mr. V. Venkateswara Rao
St. Co-ordinator	(Assam)	:	Mr. Pinak Pani Nath
State Chairman	(Chattisgarh)	:	Mr. K. Chandrasekhar Rao
State Chairman	(Delhi)	:	Mr. H.S. Pasricha
State Chairman	(Gujarat)	:	Mr. Kirti M. Thacker
State Chairman	(Haryana)	:	Mr. Umesh Achaarya
State Chairman	(Jharkhand)	:	Mr. Shiv Kumar Burman
State Chairman	(Karnataka)	:	Mr. R. Ambikapathy
State Chairman	(Kerala)	:	Mr. Prince Joseph
St. Co-ordinator	(Madhya Pradesh)	:	Mr. Sharad Tamot
State Chairman	(Maharashtra)	:	Mr. Prakash Panjwani
State Chairman	(Rajasthan)	:	Mr. Rameshwar D. Khandelwal
State Chairman	(Tamil Nadu)	:	Mr. R. Muthukumar
State Chairman	(Telangana)	:	Mr. D.V.N. Reddy
State Chairman	(Uttar Pradesh)	:	Mr. Sanjay Tyagi
St. Co-ordinator	(West Bengal)	:	Mr. Ashok Kumar Chandak

Members of the Managing Committee representing Centres

1. Mr. Mr. Bhopinder R. Lal	2. Mr. Vilas Birari
3. Mr. Ashok Agarwal	4. Mr. Mahendra Sethi
5. Mr. G. Ved Anand	6. Mr. M. Thirusangu
7. Mr. N. Sivakumar	8. Mr. N. Murugan
9. Mr. M. Ravi	10. Mr. E. Dhanasekaran
11. Mr. Paul T. Mathew	12. Mr. K.J. George
13. Mr. R. Sivakumar	14. Mr. R.R. Sridhar
15. Mr. R. Ethirajan	16. Mr. T.V. Chandrasekaran
17. Mr. L. Shantha Kumar	18. Mr. K. Venkatesan
19. Mr. P.P. John	20. Mr. Taro T. Manghnani
21. Mr. Pratap Salunkhe	22. Mr. K. Padmanabhan
23. Mr. Ram M. Bhatia	24. Mr. P. Subramani
25. Mr. K. Rajakumaran Nair	26. Mr. A. Manikkam
27. Mr. Alex P. Cyriac	28. Mr. S. Sunil Kumar

Members of the Managing Committee representing Patron Members

1. Mr. Narendra Kumar	2. Mr. Prabir Kumar Mukherjee
3. Dr. Dharmesh Awasthi	4. Mr. S.N. Reddy
5. Mr. Soma Srinivas Reddy	6. Mr. P. Narsimha Rao
7. Mr. V. Satya Murthy	8. Mr. K. Subramani

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- | | |
|---------------------------|-------------------------------|
| 9. Mr. K.L. Mohan Rao | 10. Mr. G. Ramamoorthi |
| 11. Mr. V. Ayyamperumal | 12. Mr. J.R. Sethuramalingam |
| 13. Mr. D.R. Sekar | 14. Mr. Mu. Moahan |
| 15. Mr. S. Ayyanathan | 16. Mr. K. Ramanujam |
| 17. MR. L. VENKATESAN | 18. Mr. N. Ramalingam |
| 19. Mr. N. Shanmugam | 20. Dr. Rajiv B. Krishnani |
| 21. Dr. Anand J. Gupta | 22. Mr. Rajendra S. Athawale |
| 23. Mr. Gopalsingh Rathod | 24. Mr. Baburao L. Shakkarwar |
| 25. Mr. Mahesh M. Mudda | |

Members of the Managing Committee representing Affiliated Associations

- | | |
|-------------------------|---------------------|
| 1. Mr. Arvind V. Patel | 2. Mr. M. Jaisankar |
| 3. Mr. K.G. Janakiraman | 4. Mr. B. Ramesh |

Trustees 2019-22

- | | | | | |
|-----------------|---|------------------------------|---|-----------------------------|
| Trustee (East) | : | Shri Ravindra Pradhan | : | (Jharkhand (Ranchi) Centre) |
| Trustee (North) | : | Shri Lal Chand Sharma | : | (Gautam Budh Nagar Centre) |
| Trustee (South) | : | 1. Shri V. Rajagopal | : | (Thanjavur Centre) |
| | | 2. Shri O.K. Selvaraj | : | (Southern (Chennai) Centre) |
| | | 3. Shri B. Sugunakar Rao | : | (Karimnagar Centre) |
| Trustee (West) | : | 1. Shri C. G. Deochake | : | (Mumbai Centre) |
| | | 2. Shri Mohanlal S. Katariya | : | (Nashik Centre) |

BAI Past Presidents

Year	Name	Year	Name
1941-1942	Shri M. P. Shah	1989-1990	Shri S. R. Kar Roy
1942-1943	Shri Motichand G.Shah	1990-1991	Shri Ajit Gulalbhand
1943-1944	Shri E. M. Billmoria	1991-1992	Shri Lalit Sangtani
1944-1945	Shri Ranade	1992-1994	Shri M. Karthikeyan
1945-1946	Shri P. P. Kapadia	1994-1995	Shri Tilak Raj
1947-1950	Shri Motichand G.Shah	1995-1996	Shri H. H. Rijhwani
1959-1951	Shri P. P. Kapadia	1996-1997	Shri A. S. Chinaswamy Raju
1952-1954	Shri G. S. Dugal	1997-1998	Shri N. D . Golani
1955-1957	Shri P. P. Kapadia	1998-1999	Shri C. L. Verma
1957-1958	Shri Rao Sahib Bagwandas C.Hemrajani	1999-2001	Shri S. A. Vichare
1959-1961	Shri H. J. Shah	2001-2003	Shri V. Ramachandran
1962-1963	Shri G. R. Jolly	2003-2005	Dr. Brahm Datt
1964-1965	Shri Y. G. Patel	2005-2006	Shri B. N. Dikshit
1965-1966	Shri B. V. Apte	2006-2007	Shri C. Raghava Reddy
1966-1967	Shri J. S. Ajmera	2007-2008	Shri P. R. Mundle
1967-1968	Shri U. S. Patel	2008-2009	Shri S. P. Goel
1969-1971	Shri R. G. Gandhi	2009-2010	Shri A. K. Yussouf
1971-1972	Shri K. L. Sapra	2010-2011	Shri Bhagwan J. Deokar
1973-1974	Shri M. Nilakandan	2011-2012	Shri Cherian Varkey
1974-1978	Shri S. Harcharan Singh Duggal	2012-2014	Shri B. Seenaiah
1978-1980	Shri Harbans Lal Arora	2014-2015	Shri Sushanta Kumar Basu
1980-1982	Shri M. N. Rajaraman	2015-2016	Shri Lal Chand Sharma
1982-1984	Shri Amarjit Singh Choudhary	2016-2017	Shri Avinash M. Patil
1984-1986	Dr. T. N. Subba Rao	2017-2018	Shri H. N. Vijaya Raghava Reddy
1986-1988	Shri S. A. N. Ranganatha Achar	2018-2019	Shri A. Puhazhendi
1988-1989	Shri R.Radhakrishan		

Builders' Association of India

(Apex Body of Construction Industry)



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Reports from BAI Centres

2018-2019

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BAI Centres' Report 2018-19

Baramati Centre

Mr. Sunil Deshmukh was installed as the Chairman of the Centre by Chief Guest Mr Ajit Dada Pawar, former Dy. Chief Minister of Maharashtra. Mrs. Popurnima Taware, President-Baramati Municipal Council; Mr. Pratap Salunkhe, Vice President, Mr. Vijay Devi, Trustee and Mr. Shrikant Sikchi, Chairman, Baramati Sahakari Bank were the Guests of Honour. Other office bearers of the Centre were also installed. Chief Guest assured the members of highlighting the problems of the industry before the Government of Maharashtra. Office bearers / functionaries and senior members from Ichalkaranji, Satara, Pune and Phaltan Centres were also present on the occasion.

Changanacherry Centre

Installation function of the Office Bearers of the Centre was held on 15th July 2018. Mr. Cherian Varkey, Past President was the Chief Guest. Members from various BAI Centres of Kerala were attended the function.

The year 2018 was an unforgettable year for Changanacherry due to heavy flood which occurred in mid August. Changanacherry taluk itself was a refugee centre for people from Kuttanad. Members of BAI Changanacherry Centre were deeply involved in rescue operations and rehabilitation works. The Centre supplied food and clothes to the refugee centre and worked hand to hand with Radio media village in supplying water filters to 110 houses, medicines, installing septic tank for rehabilitation centres. The Centre constructed three houses for the flood affected ones with the major share from the national level and also contributions from members.

Builders' Day celebration was held on 11th November 2018 jointly with BAI Thiruvalla Centre at KGA Elite Hotel, Thiruvalla. Mr. Mathew T. Thomas, Hon'ble Minister for Water Resources was the Chief Guest. Members from BAI Changanacherry and Thiruvalla Centres and also members from other Centres were participated in the function.

The Centre conducted a family meeting in December 2018 during the Christmas vacation at Hotel Vani, Changanacherry. 23 members and their families attended.

Chengalpattu Centre

Mr. M. Ravi was installed as the Chairman of the Centre for 2018-19 on 25th April 2018 by Chief Guest Mr A Puhazhendi, President. Mr. M. Thirusangu-Vice President and Mr. S. Ayyanathan, State Chairman - Tamil Nadu, Puducherry & Andaman Nicobar were the Guests of Honour. Other office bearers were also installed. Mr. Mu. Moahan and Mr. K. Viswanathan, both Past

Presidents were also present and felicitated the newly installed team.

The Centre celebrated Builders' Day on 31st October 2018. Dr. Ratna Natarajan was the Chief Guest, who delivered an excellent speech to the Members, Engineers and Labourers. Mr. K. Shahul Hameed was the Guest of Honour. All the labours were given a gift and were well honoured. The function was a grand success.

Members of the Centre attended the 44th IFAWPCA Convention held at Kualalumpur, Malaysia.

On 15th August 2018, the Centre celebrated Independence Day in a befitting manner. 200 Trees were planted on the occasion.

The Centre contributed Rs.2,86,500/- towards Kerala Flood Relief Fund.

During the year, the Centre conducted 12 Executive Committee Meetings.

Chettinadu Centre

Centre celebrated "Builders' Day 2018-19" and its '9th Annual Day' on 14th March 2019. Mr. A Puhazhendi, President-BAI, Chief Guest addressed the members and briefed them about the various efforts of BAI in solving the problems of building & construction industry. Mr. L. Moorthi, Past Vice President also addressed and highlighted the importance of having a large membership base and wide spread of BAI. Mr V Xavier Antonyraj, Chairman and other office bearers of the Centre co-ordinated organising of the event.

Cochin Centre

The Centre held 11 Executive Committee Meetings during the year which were attended by the members of the centre in large numbers and matters relating to construction industry, GST, Cement, Steel, ESI, EPF and other issues confronting the industry were discussed.

BAI Cochin Centre organised a condolence meeting on 12th July 2018 at BAI Chamber, Kadavanthra to condole the demise of P.K. Ramachandran, GC Member & Trustee. Family members of Late Ramachandran and various dignitaries from construction fraternity, Trade Union Leaders and Political Leaders attended the meeting to express their condolence.

BAI Cochin Centre was actively involved in rehabilitation and distribution of Relief materials like food, medicine, Water, cloths, mats etc. to various Relief Centers to help out the people of Kerala who were affected by the heavy floods caused due to overflowing dams, landslides and other natural calamities during the month of August 2018.

Two family get together were arranged by the Centre during the year. First get-together was held on 27th July 2018 at Grand Hotel and the highlights of the events were the cultural programs by members and their families. Dr. G N Ramesh Aster, Medicity talked about stress busting techniques. Second family get together was conducted on 16th November 2018 in Andaman & Nicobar Island. Past Centre Chairman & leading builder Mr. Sumit Goyal of RDS Projects host the meeting.

The Centre organised "Builders' Day Celebration 2018" on 29th November 2018 in association of other BAI Centres in Kerala namely Aluva, Angamaly, Kottayam, Thrippunthura and Thrissur Centre. Mr. Cherian Varkey, Past President and Mr. Paul T Mathew, State Chairman-Kerala were the main guests. Chairmen from the organising centres along with office bearers and other functionaries from the State participated and co-ordinated organising of the event.

Annual General Body Meeting of the Centre was held on 17th January 2019, presided by Chairman Mr Zachariah Abraham at BAI Chambers. Nomination Committee Chairman Mr. B. Chandramohanam was declared the name of new office bearers for 2019-20.

Three GST orientation programs / Seminars were held by noted Advocate and Tax Consultant Mr Jose Jacob, Head of Indirect Taxes & Legal of JB Arsen Consultants which were designed to help, prepare the business processes for GST roll out. The seminars were well attended by members and their supporting staff. A consultancy was, also set up under Adv. Jose Jacob to assist the members.

Training programme for construction engineers and accounting staff on new labour wages and agreement conditions held on 27th December 2018 was great success. 63 delegates from various companies attended. Mr. Chandramohanam & Mr. M. V. Antony explained the agreement conditions in detail. The committee appreciated their untiring efforts.

BAI Cochin Centre and FRICL had jointly taken efforts to address the Social Security Code. A meeting was conducted, with Union Labour Secretary and convinced him the apprehension of Construction Industry.

Ernakulam District Loading & Unloading Agreement with Labour Union for (2018-2020) year, was signed successfully on 26th April 2018 after a series of negotiations. Executive Committee of the Centre appreciated Mr. Chandramohanam and Labour Committee, for the persistent efforts. Printed booklets of Labour Agreement was distributed to all members.

Ernakulam District Construction Labour Agreement for 2018-20 was finalised on 1st November 2018. After a series of negotiations, with labour unions. Output of construction workers as per P.W.D. data was fixed, 8 hours

working time to be strictly adhered and labour union agreed to implement mechanisation, in construction activities to improve the quality and speed of work.

Coimbatore Centre

Mr. K. Chinnaswamy was installed as the Chairman of the Centre for the year 2018-19 on 6th April 2018. Mr. S. P. Velumani, Minister of Municipal Admn & Rural Development, Government of Tamil Nadu was the Chief Guest. Mr. A. Puhazhendi-President, Mr. M. Thirusangu-Vice President and Mr. S. Ayyanathan, State Chairman, Tamil Nadu, Puducherry & Andaman Nicobar were present on the occasion. Other office bearers of the centre were also installed. Mr. K. Viswanathan, Past Vice President handed over a Memorandum to the Hon'ble Minister for :

1. Long standing need for an Independent Development of Coimbatore Authority on the lines of Chennai Metropolitan Development Authority (CMDA).
2. Relaxing the height limit of special buildings from 15m to 17m since unable to get electricity connection for the buildings constructed more than 15 m height.

On 23rd June 2018, the Centre submitted a representation to Mrs. Poonam Mahajan, Member of Parliament and All India BJP Youth Wing President, on the problems faced by members.

On 8th July 2018, a Seminar meeting was held at Kerala Club. Dr. G.S. Venkatasubramanian was the Keynote Speaker. He discussed about the formation Repairs & Retrofitting and Water Proofing Techniques.

On 24th August 2018, the Centre sent Kerala Flood Relief Materials to Mr. Charles Thayil, Chairman, BAI Angamaly Centre

An 'Open House Session on GST' addressed by Mr. Mahender Singh, IRS CBIC, New

Delhi – GST Meeting was held in Coimbatore on 20th September 2018. Mr. K. Vishwanathan, Chairman-BAI Taxation Committee attended the event and also presented a representation on behalf of BAI. Mr. S. K. Rahman IRS, Addl DG GST; Mr Yogendra Garg IRS, Addl DG-GST, Mr Nikhil Mohan Goyal, IRS, Asstt Dir-GST and Mr. C. P. Rao, Principal Chief Commissioner-GST, Chennai were present at the event.

The Centre celebrated Builders' Day on 25th November 2018. Mr. A. Puhazhendi, President, BAI, was the Chief Guest.

Delhi Centre

BAI Delhi Centre organized First Northern Region Meeting on 11th October 2018 at Pragati Maidan, New

Delhi, on the sidelines of Light India 2018 Exhibition, which was supported by BAI as Industry Partner.

Delhi Centre extended non financial logo support to M/s EPC World Media Group for holding "8th edition of EPC World Awards" held on 19th December 2018 in Aero-city, New Delhi.

BAI Delhi Centre extended Non Financial Logo support to Confederation of Indian Industry (CII) for the "2nd Edition of Real Estate & Building Technology 2019" held during the 23rd International Engineering & Technology Fair (IETF 2019) from 3rd to 5th February 2019 at Pragati Maidan, New Delhi.

On the request of 'SME Entrepreneurs Federation of Maldives', Delhi Centre hosted a meeting on 14th February 2019 in BAI Delhi Office Conference Room, to explore various economic windows, including financial and technical support in order to build the capacity and to develop partnerships with local and international partners to provide the best solutions and share knowledge to support the growth of SMEs and entrepreneurs as a whole in Maldives. Mr. A Puhazhendi, President led the delegation and welcomed the Maldives delegation, consisting of four members.

Delhi Centre extended Non Financial Logo Support for "PMAY – Empowering India Awards 2018" held on 5th March 2019 at Hotel Le-Meridian, New Delhi. Mr. Arun Sahai, senior member from the Centre was one of the Jury Member who decided the Awards.

Delhi Centre extended the non-financial logo support to M/s First Construction Council for organizing Conference on "Make in Steel 2019" with the theme of Quality Standards to uphold Sustainable Infrastructure on 13th March 2019 at Hotel Lalit, New Delhi. Chairman-Delhi Centre and Executive Officer-Delhi Office attended the conference. Delhi Centre extended non-financial logo support to M/s Steel & Metallurgy (A Publication of Mukherjee Infomedia Pvt. Ltd) for organizing Conference on "Raw Materials, Technology, Market and Applications for Iron and Steel Industry" on 15th Mar 2019 at Hotel Lalit, New Delhi. Chairman-Delhi Centre and Executive Officer-Delhi Office attended conference.

Dhule Centre

Mr Shital Kumar Mohan Nawle was installed as Chairman of the Centre by Mr Vilas Birari, State Chairman-Maharashtra. Mr Pratap B Salunkhe, Vice President, BAI was the Chief Guest and Mr Avinash M Patil, Past President was the Guest of Honour. Other office bearers of the Centre were also installed and "Life Time Achievement Award" was bestowed on three BAI stalwarts of Dhule Centre on the occasion.

Durgapur Centre

Mr Ajit Singh Alag was installed as Chairman of the Centre

along with other bearers for 2018-19 by Mr S K Basu, Past President on 28th April 2018. Mr Rajendra Singh Kamboh, Vice President, Mr Surojit Samanta, State Co-ordinator, West Bengal were also present on the occasion. On the occasion Mr Kamboh was felicitated by Mr S K Basu on him being elected as Vice President for 2018-19 and Mr Samanta was felicitated by Mr B N Dikshit, Past President on him being elected as State Co-ordinator, West Bengal State for 2018-19.

The 'First BAI Eastern Region Meeting 2018-19', hosted by Durgapur Centre was held in Hotel Citi Residence, Durgapur City Centre on 28th April 2018. Mr Rajendra Singh Kamboh, Vice President chaired the meeting. Mr Surojit Samanta, State Co-ordinator, West Bengal, Mr Ashok K Choudhary, Trustee, Mr B N Dikshit, Past President and Mr S K Basu, Past President also graced the meeting along with other office bearers and functionaries. Issues confronting the building and construction industry in Eastern Region i.e. Assam, Bihar, Jharkhand and WB were discussed. Mr Ajit Singh Alag, Chairman along with his team members co-ordinated the arrangements for the meeting.

Eastern (Kolkata) Centre

Members of the Centre attended an International Business Seminar with the Asian Development Bank held on 25th April, 2018 at Gateway Hotel, Kolkata. On behalf of BAI, Past President, Mr. S.K. Basu briefed what is BAI as a Guest Speaker in this International Business Opportunities Seminar. Chairman, Mr. Subrata Das along with other senior members attended the Seminar.

First East Zone meeting held at Durgapur on 28th April, 2018. A team headed by the Chairman, Mr. Subrata Das and State Co-ordinator, Mr. Surojit Samanta attended the meeting. In the evening, Durgapur Centre felicitated Vice President, Sri R.S. Kamboh and State Co-ordinator, West Bengal, Mr. Surojit Samanta. Mr. S.K. Basu, Past President, BAI, was the Chief Guest on the occasion.

A Seminar on Mitigating Challenges in Construction through BIM was held on 29th June, 2018 at The Park, Kolkata, which was organised by Trimble Solutions India Pvt. Ltd, a marketing management group, cater to various stakeholders of the construction industry globally, and are well known for our solutions such as, Tekla Structures, Trimble Total Station, Vico office, Sketch Up Pro, amongst others, that help address all pain points and take you several steps beyond and closer to becoming BIM enabled. Mr. Pradip Kumar Mukherjee, Past Chairman of the Centre addressed the gathering and briefed about BAI.

The Centre expressed their willingness to hold 'XXIX All India Builders' Convention' in Kolkata and the Managing Committee and General Council Members in its meeting held at Visakhapatnam on 4th August 2018, unanimously honoured the proposal to host the Convention in Kolkata during 2019-20.

The Energy Agenda 2030-Innovative Developments & Energy Excellence Awards held in Hotel Hyatt, Kolkata on 1st December, 2018 organized by ASSOCHAM.

On 23rd June, 2018, the Centre organised 68th Annual General Meeting of the Centre, where Annual Report and Audited Balance Sheet for 2017-18 were unanimously passed along with Annual Report.

A new team of Office Bearers and Executive Committee of the Centre for 2019-20, were held on 12th January, 2019 along with election of General Council members of the Centre and result was declared on 14th January, 2019 which was reported to BAI Headquarter in time.

The 'Third BAI Eastern Region Meeting 2018-19' was held on 18th January 2019 in the Conference Room of BAI Eastern (Kolkata) Centre, Kolkata and BAI Eastern (Kolkata) Centre hosted the meeting. Mr. Rajendra Singh Kamboh, Vice President chaired the meeting. Other who graced the dais during the meeting were Mr. Chandrakant K Rajpat, State Chairman-Jharkhand, Mr. S K Basu, Past President and Mr Subrata Das - Chairman of the Centre. Issues confronting the building and construction industry in the States of Assam, Bihar, Jharkhand & West Bengal were discussed along with BAI Organisational matters. Office Bearers of Centres in the Eastern Region i.e. Assam, Bihar, Jharkhand & West Bengal States attended the meeting. The Centre was also given permission to hold the XXIX All India Builders' Convention at Vedic Village Spa Resort, Kolkata, between 3rd – 5th January 2020.

Ettumanoor Centre

Installation function of the Office Bearers of the Centre was held on 8th January 2018. Mr. P. Thilothaman, Hon'ble Minister of Civil Supply, Kerala State, was the Chief Guest of the function. Mr. R. Radhakrishnan, Past President & Past Trustee, was also attended the function. Former Minister, Mr. P.J. Joseph, MLA; Mr. Thiruvanchoor Radhakrishnan, MLA and Mr. Monce Joseph, MLA were attended the function. About 200 persons participated in the function.

BAI Ettumanoor Centre organised a GST Seminar exclusively for all BAI Members, for giving awareness about GST. Members from Changanacherry, Thiruvalla and nearby Centres were also participated.

The Centre conducted a flood relief camp at Pathinarilchira, a remote village in Vembanad Lake. 67 poor families affected by heavy flood. The Centre distributed food and relief materials to the flood affected people, on 24th July 2018.

The Centre distributed 775 flood relief kits in two different areas including 25 valuable materials worth of Rs.2,000/- per kit. This wonderful humanitarian service was done with the help and full sponsorship of an NGO named NOCER INDIA. The Centre Chairman, Mr. Joby Kurian

took initiatives to influence them and the project came true. Mr. A. Puhazhendi, President, BAI, distributed the kits at Melekkara Village 425 Nos; and Varambinakam Village 350 Nos, respectively. Members of the Centre support, was outstanding.

Mr. A. Puhazhendi, Past President, BAI, distributed relief kit to the flood affected people in Kumarakam.

BAI Ettumanoor Centre organised a Rwanda Investors meet on 16th November 2018 at Hotel Windsor Castle, Kottayam. Rwanda is the fastest growing economy in the world. Rwanda is a central African country. The Rwandan Ambassador Earnest Rwamucyo was the Chief Guest of the meeting. The meeting was inaugurated by former Minister Mr. P.J. Joseph, MLA.

The Centre celebrated Builders' Day on 16th November 2018. The Rwandan Ambassador Earnest Rwamucyo inaugurated the function. Mr. Cherian Varkey, Past President, was the Chief Guest.

The Centre constructed two houses for flood affected people.

Gandhinagar Centre

Mr. Praesh Vachani was installed as Chairman of Gandhinagar Centre along with other office bearers on 21st May 2018 in Gandhinagar.

Goa Centre

BAI Goa Centre organised a "Technical Factory Visit' to M/s. Finolex Industries, Ratnagiri Plant in Maharashtra on 8th & 9th March 2019. The factory has its own jetty for the import of petroleum products used for manufacturing of Finolex products. The BAI members also visited the testing lab facility and stayed in Finolex colony guest house. The members also visited 'Mukul Madhav Vidyalay' which is run as its CSR activity. Mr. Niresh Naik, Chairman of the Centre along with his office bearers & other senior functionaries co-ordinated in organising the visit.

Gujarat (Ahmedabad) Centre

Mr. Nimesh Patel was installed as the State Chairman of Gujarat by Mr. A. Puhazhendi, President on 2nd May 2018. Mr. Dinesh Patel was installed as Chairman of the Centre along with other office bearers by Mr. Neerav Parmar, Hon Gen Secretary & Mr. Lal Chand Sharma, Trustee & Past President. Mr. Pradeep Nagwekar, Hon. Gen. Treasurer, Mr. Arvind V. Patel, Chairman, Gujarat Contractors' Association, Mr. Navin Vasoya, Past President - The Institute of Engineers India, Mr. Ram M Bhatia, Trustee, Mr. Sanjay Tyagi, Chairman – Ghaziabad Centre were also present on the occasion.

Hyderabad Centre

The installation function of new Office Bearers of BAI

Hyderabad Centre was held on 2nd April 2018. Mr. P. Janardhan Reddy as Chairman for Second Term, Mr. Anirudh Gupta, Vice Chairman, Mr. K. Chandra Shakar Reddy, Secretary, Mr. Ramesh Chhabra, Joint Secretary, Mr. Y.S. Rama Raju, Treasurer for the year 2018-19.

During the year, BAI Hyderabad Centre along with the State Chairman and Senior Members have mobilized funds for the Kerala Flood Relief and with the help of all the centres in the Telangana State The Centre donated Rs.10,00,000/- to the BAI Head Office for Kerala Relief Fund.

The Centre Chairman and Vice Chairman and other senior members along with Mr. D.V.N.Reddy State Chairman, Telangana, have participated in the Board of Chief Engineers meeting on Standard Schedule Rate held in the month of June 2018 on various dates for finalizing the Standard Schedule Rates for the year 2018-19.

BAI Hyderabad Centre has conducted 8 Executive Committee meeting for the year 2018-19 apart from the Installation and Annual General Body meeting. The issue pertaining to the Contractors on GST Matter, Roads, Buildings, Bridges, Irrigation and pending payment problems were discussed and solved the Executive Committee Meeting. The Centre Chairman Mr. P. Janardhan Reddy and Mr. Anirudh Gupta, Vice Chairman, are regularly meeting the Engineer-in-Chief, Superintendent Engineers for solving the day to day problems of the contractors.

Ichalkaranji Centre

Mr. Pratap B Salunkhe was formally installed as Vice President for 2018-19 along with Mr Mohan Satpute as Chairman of the Centre for 2018-19 by Mr. A Puhazhendi, President in a glittering installation function on 28th April 2018 in Ichalkaranji. Mr Chandrakant Dada Patil, Hon Minister for Public Works, Govt of Maharashtra was the Chief Guest. Mr Deelipaji Kambale, Minister for Social Justice, Govt of Maharashtra, Mr Sureshrao Halvankar, MLA, Mr. Vilas K Birari, State Chairman, Maharashtra and Mr. Sou Alka Swami, President Ichalkaranji Municipal Council were the Guests of Honour. Other office bearers were also installed and "Lifetime Achievement Award" was conferred on two senior BAI members from the Centre on the occasion.

BAI Ichalkaranji Centre and Confederation of Real Estate Developers Association of India (CREDAI) organised a welcome reception booth for families and organisations coming to the spot to immerse Lord Ganesh. In the welcome reception booth water, light refreshments etc. were arranged and resting arrangements for senior persons. Senior Government officials of the area, Mr. Nitin Dhoot, President-CREDAI – Ichalkaranji and Chairman Mr Mohan Satpute and other office bearers were present.

Centre arranged a "Technical Visit" to 'Crushed Sand

Plant' of M/s B G Shirke Construction Technology Pvt Ltd. (BGSCPTL) at Nirmiti Kendra Alandi Site, Pune on 30th Sept 2019. Mr Chavanasahed & Mr Manavsahed of (BGSCPTL) gave BAI members a guided tour of the facility.

Indore Centre

A meeting of all the members of BAI Indore Centre was held on 20th May 2018 for the account review of financial year 2017-18 and Auditors appointment.

A meeting of members of BAI Indore Centre organised on 19th September 2018 with Engineer-in Chief, MP PWD, Bhopal, regarding amendment in conditions of model tender document.

A meeting with Principal Secretary, Public Works Division, Bhopal, held on 18th December 2018, regarding payments and other problems of contractors.

Meeting of all members of BAI Indore Centre organised on 9th January 2019 on royalty of minor mineral and GST related issues.

A Get-together of members of BAI Indore Centre arranged on 11th January 2019, to discuss various problems faced in tenders by the contractors for further representation to concerned Department.

On 6th February 2019 and on 19th February 2019,, a meeting was organised by the Centre with Hon'ble PWD Minister Mr. Sajjan Singh Verma, regarding difficulties faced by contractors like mode of earnest money, specification of work need to be uniform in all works department, timely payment of bills, mining etc.

Kanyakumari Centre

Installation function of the Office Bearers of the Centre for the year 2018-19 was held on 7th April 2018. Mr. A.K. Yussouf, Past President, was the Chief Guest. The ceremony was highlighted by the Special Guest, Mr. Jacob R. Daniel, Rtd. CBI Judge and Mr. M.R. Mohan, Rtd. Deputy Superintendent Engineer, PWD. Members of the Centre honoured the function with their family from Tuticorin and Tirunelveli Centres.

Members of the Centre participated in the Managing Committee Meeting and General Council Meetings held at Madurai, on 25th May, 2018.

The Centre celebrated Independence Day on 15th August 2018. Members of the Centre participated in the flag hoisting. A Television was presented to the Centre and sweets distributed during the function.

Office Bearers of the Centre and members from other Centres were also participated in the function. The function was a grand success.

The Centre conducted a technical programme on 10th

September 2018 at 7.30 P.M. in Council Hall of Nagercoil Municipality Office. Mr. Saravana Kumar, Municipal Commissioner and Mr. B. Vimala, the Town Planning Officer, were the Chief Guests,

Neo Max Company's awareness seminar was held on 28th September 2018 at Hotel Reach, Nagercoil. Mr. J. Jeya Paul, Chairman of the Centre delivered a speech on the occasion. About 125 members attended the Seminar.

Build Expo Exhibition was held on 5th, 6th & 7th October 2018 in Perumal Hall, under the leadership of Chairman, Mr. J. Jeya Paul. On 5th October 2018, the founder Chairman Mr. J. Justin Paul inaugurated the Exhibition. Mr. S. Sathya Kumar, District Fire Department Officer; Mr. S.A. Ashokan, Dairy Department Officer and Mrs. Helan Davidson, were the Chief Guests. About 70 companies participated in the Exhibition and highlighted the programme. Former Chairman of the Centre inaugurated the function by lighting the lamp. About 3,500 people visited the Expo in 3 days.

Civil Engineering Students of 5 Engineering Colleges visited the Expo. Mr. Walter, Past Chairman of BAI Tirunelveli Centre was the Chief Guest.

The Centre arranged a business tour during Diwali festival, to Kovilpatti, Virudhunagar, Podi and Coutrallam. About 40 members participated in the tour programme.

On 30th December 2018, the Centre celebrated Triple Festival – Family Get Together under the leadership of Chairman, Mr. J. Jeya Paul. Games were conducted for children and adults on the occasion. 10th & 12th standard children of members who got high marks were honoured with gifts and certificates. Children who got 1st rank was given 2 gram gold coin, the second prize was given 1½ gram gold coin. After that, dinner was given to all the participants.

On 18th March 2019, Supervisor Training Programme was conducted. The Chief Guest on the occasion was LNMCA Martin (State Vice President Association of Traders Society). Convex Lens fixing programme was conducted in Holy Cross College on the same day under the leadership of Mr. J. Jeya Paul. The administrative and students were participated from the College.

Karaikal Centre

Installation function of the Office Bearers of the Centre for the year 2018-19 was held on 17th April 2018. Office Bearers of the Centre participated in the installation functions of the office bearers of Thanjavur, Thiruthurai, Mayiladuthurai and Nagapattinam Centres.

On 21st May 2018, senior members of the Centre met PWD officials to demand actions on various problems faced by members in CPWD.

On 22nd May 2018, the Centre Chairman met the Hon'ble Lieutenant Governor Ms. Kiran Bedi to demand early settlement of pending payments of member contractors.

The Centre celebrated Independence Day on 15th August 2018. Chairmen of the Centre hoisted the national flag.

The Centre conducted 'Labour Skill Development Programme' from 12.10.2018 to 20.10.2018 with the able guidance and help of labour and distributed certificates to labourers.

On 7th December 2018, the Centre distributed relief materials of worth Rs.1,40,000/- to the Gaja Cyclone affected families in Thiruthurai and Nagapattinam. For this cause, BAI State body contributed Rs.1,00,000/- as Gaja Relief Fund.

On 28th December 2018, 'Diary 2019' and 'Calendar 2019' were released by the Centre for the members benefit and distributed to them along with New Year compliments.

The Centre celebrated 'Republic Day' on 26th January 2019. Chairman of the Centre hoisted the national flag.

The Centre conducted General Body meeting on 17th March 2019 at Hotel Nandha. Past Chairmen Day was celebrated on the same day and all Past Chairmen were felicitated.

Star Health Accident Group Insurance Policies were provided to 104 members from this year by the Centre for their benefit.

During the year, the Centre conducted 11 Executive Committee Meetings and 6 General Body Meetings.

Karnataka (Bangalore) Centre

The First State Level Meeting of Karnataka was held on 27th June 2018 at The Karnataka State Billiards Association. Chairman, Office Bearers along with Managing Committee and General Council members from Bangalore, Mysore, Hassan and Shimoga Centres attended the meeting. The State Chairman proposed to open new Centers at Tumkur, Bellary and Chikamagalur. He further informed that efforts are being made to rejuvenate the existing Centre Raichur, Chitradurga, Belgaum and Mangalore.

The Training Program for Fresh Civil Engineers was organised on 11th July 2018 at Vemana Institute of Technology, Koramangala. The Chief Guest was Dr. K. Balaveera Reddy, Former Vice Chancellor, VTU, Guest of Honor was Prof. Dr. K. Ranga, Former Principal, Vemana Institute of Technology, Sri H.N. VijayaRaghava Reddy, President – BAI Construction Academy & Research Trust, President – Karnataka Reddy Janasangha, Imm. Past President, All India Builders Association of India presided over the function. Sri K.S. Someshwara Reddy – State Chairman, Karnataka, BAI, Sri Srinivasa

Reddy, Chairman, BAI, Karnataka (Bangalore) Centre and Dr. VijayaSimha Reddy B.G. - Principal, Vemana Institute of Technology graced the occasion. About 40 Engineering Graduates has enrolled for the 18 days Training Program.

The Valedictory function of the Training Program was held on 26th July 2018. The Chief Guest was Dr. M. U. Aswath, Principal- Bangalore Institute of Technology, Sri H.N. VijayaRaghava Reddy- President- BAI Construction Academy & Research Trust, President – Karnataka Reddy Janasangha presided over the function. Guest of Honor was Sri K.S. Someshwara Reddy – State Chairman, BAI Karnataka. Sri Srinivasa Reddy – Chairman, BAI Karnataka (Bangalore) Centre, Sri Muninagappa – Secretary Karnataka Reddy Janasangha and Dr. VijayaSimha Reddy B.G. - Principal, Vemana Institute of Technology, graced the occasion. The Dignitaries issued Certificate to participants of the Training Program.

On the occasion of Builders' Day – 2018 celebrated at NGV Club on 11th November 2018, 100 artisans were honored. The Chief Guest for the evening was and Shri H.N.Vijaya Raghava Reddy, Imm Past President and Guest of Honour was Shri K.S. Someshwara Reddy– State Chairman, Karnataka, BAI.

Centre celebrated "Builders' Day 2018" on 14th November 2018 at The Capitol Hotel. The Chief Guest of the function was Dr. K.S. Krishna Reddy –Secretary to Government, Public Works, Ports and Inland Water Transport Department, Government of Karnataka and Guest of Honour was Sri K.S. Someshwara Reddy– State Chairman, Karnataka, BAI. BharathRathna - Sir M. Visvesvaraya Memorial Award was conferred to Sri H.N. VijayaRaghava Reddy – Imm. Past President, Sri S. Venugopala Reddy Sri K.M. Narayana Reddy and Sri R. AmbikaPathy were the three senior Builders who were honored for their outstanding contributions in the construction sector.

News Bulletin was released and the first copy was handed over to Sri Shreenivas Sriramulu, Chairman News Bulletin Committee. Sri K.L. Mohan Rao and as masters of ceremonies guided through the evening with their lively compeering. Senior members, office bearers and functionaries participated in the event and dinner with cultural programs were arranged for the members.

The Centre brought out Engineering Diary 2019 which was released by Sri H.N. VijayaRaghava Reddy – Imm. Past President, BAI during the Executive Committee Meeting on 19th December 2018, held at Karnataka State Centre and a copy was distributed to all the members present. He congratulated Sri Abdul Sattar – Chairman, Diary Committee for bringing our informative and beautiful Diary.

The Centre organised Annual General Meeting was on 23rd January 2019 at The Karnataka State Billiards Association which was attended by senior members, office

bearers and functionaries of the Centre in large numbers.

The Centre conducted 10 Executive Committee Meetings during the year.

Kerala (Trivandrum) Centre

Installation function of the Office Bearers of the Centre for the year 2018-19 was held on 12th June 2018. Mr. Kamala Vardhana Rao, IAS (Principal Secretary, PWD) was the Chief Guest of the function.

The Centre spent Rs.1,79,058/- for purchasing emergency medicines, clothes, sanitary goods and other essential commodities and distributing the same to the flood affected people in Kerala. An amount of Rs.45,000/- paid to BAI Alleppey Centre for providing drinking water to the people of flood affected areas. Some amount allocated for construction of a house at Alleppey. Relief materials received from BAI Ahmedabad, Bangalore, Tirunelveli Centres and M/s. Nav Nirman Company, were distributed to the flood victims. A team comprising of 12 members visited the flood affected areas at Alleppey, Angamaly, Aluva, Kottayam, Tiruvalla and Changanacherry and extended all sort of support.

Wings Hyderabad, ICU Air Ambulance provider brought their helicopter to Trivandrum for flood rescue operations. Mr. S. Suresh Kumar, Chairman, BAI Kerala (Trivandrum) Centre and Mr. Jayachandran, Past Chairman of the Centre had meetings with the officials of Wings and extended all sort of support for the proper co-ordination of rescue operations.

BAI leaders participated in the meeting held at Police Headquarters to honour and felicitate DGP and other Senior Police Officers for the great effort and support extended by the police force of Kerala in rescue operations.

As part of BAI Kerala (Trivandrum) Centre's technical collaboration with Mar Baselios College of Engineering and Technology, a joint meeting with the faculty and students of the College was held on 3rd October 2018, to exchange technical know-how and internship for the students in construction sector.

The Centre celebrated Builders' Day on 27th October 2018 at Hotel Residency Tower. A Seminar was also organised on the same day. Dr. Priya Ranjan was the Chief Guest on the occasion. Dr. P.R. Swarup, Director General, CIDC, spoke on 'Rehabilitation of flood affected community' and 'Skill certification for construction professionals and labourers'. Mr. Cherian Varkey, Past President, was attended the function. Mr. R. Murugan, Past Vice President, presented the PRS Memorial Gold Medal to the best final year Civil Engineering Student of College of Engineering, Trivandrum.

On 26th December 2018, a business meeting was held at Hotel S.P. Grand Days. An opportunity was given to all

members to give proper presentation about their business and professional activities.

A family meeting was held at Hotel Horizon on 21st February 2019. Paid homage to Pulwama Martyrs. Honoured Mr. S.N. Raghuchandran Nair, Past Vice President, CREDAI and senior member of BAI Kerala (Trivandrum) Centre, for being elected as Vice President of Kerala Olympic Association. Honoured Mr. Arun A. Unnithan, Hon. Jt. Secretary of BAI Kerala (Trivandrum) Centre, on his commendable achievement for the Best Entrepreneur 2018 – State Youth Icon Award.

During the year, the Centre conducted 9 Executive Committee Meetings.

Kollam Centre

The Centre conducted a Seminar on GST on 15th September 2018, by Prof. Ramalingam of Gulati Institute of Finance and Taxation. 100 Delegates from various Institutions attended the Seminar.

The Centre hosted the 2nd State level Committee Meeting on 15th September 2018, at The Raviz Hotel, Kollam. Shri Paul T. Mathew, State Chairman, Kerala, presided over the meeting. Members attended the meeting in large numbers.

The Centre celebrated Builders' Day on 15th September 2018 on the theme 'Innovative Techniques in Modern Construction'. Mr. T.P. Madhusudanan of Habitat Group, was the Chief Guest. Mr. Cherian Varkey, Past President, BAI, was also attended the function. The Centre conducted four family meetings during the year.

Kolhapur Centre

Mr. Rajeev Suhas Lingras was installed as Chairman of the Centre for 2018-19 by Mr. Chattrapati Sambhajiraje, MP, who was the Chief Guest. Mr Pratap B Salunkhe, Vice President, Mr Vilas K Birari, State Chairman, Maharashtra were Guests of Honour. Other office bearers were also installed and "Life Time Achievement Award" was presented to Smt R D Patil on the occasion.

Madurai Centre

The first meetings of Managing Committee & General Council of BAI for 2018-19 were held on 25th May 2018 at Hotel Heritage, Madurai. On 24th May 2018, BAI Madurai Centre had arranged a 'Orientation Programme for Chairmen of BAI Centres'.

Thereafter, a programme to welcome the invitees from IFAWPCA was arranged. Mr A. Puhazhendi, President briefed the members about IFAWPCA. Mr. Tee gave interest and information presentation on Kuala Lumpur, Malaysia and 44th IFAWPCA Convention to be held there on 12th – 16th Nov 2018. The invitees were given a traditional welcome at the venue, complete with a richly

caparisoned elephant, which garlanded the guests. A "Press Meet" was also organised on 24th May which was addressed by Mr. A Puhazhendi, President along with Mr K. Ramesh, Chairman-Madurai Centre, Mr. P. Janakar, Chairman-Dindigul Centre, Mr. V. Ramachandran, Past President and Mr Raju John, Executive Secretary-BAI. The print media gave wide coverage of the event.

Centre organised "Builders' Day 2018-19" on 6th Mar 2019. Er. V Sivakumar, G M (Retd.), IOC and Government of India certified Energy Auditor was the Chief Guest. Mr. A. Puhazhendi, President, Mr. V. Ramachandran, Past President & Past Trustee graced the occasion. Chairman, Mr. K. Ramesh, office bearers and senior functionaries of the Centre co-ordinated for organising of the function.

On 26th March 2019, BAI Madurai Centre organised a function to felicitate Mr. A. Puhazhendi, President, BAI for his success during his tenure as BAI President for 2018-19. Mr. V. Ramachandran, Past President & Past Trustee, BAI; Mr. R. Subburaman, Trustee, BAI; Mr. L. Moorthi, Chairman, BAI's Contract Conditions Committee and Past President, BAI and Shri M. Dhandavakrishnan, Managing Committee Member, BAI, were present on the occasion. BAI members and members of other like minded organisations and senior government officials connected with the building and construction industry also graced the occasion.

Mumbai Centre

Mr. Gyan Madhani was installed as the Chairman of Mumbai Centre for 2018-19 by Chief Guest Mr A. Puhazhendi, President on 18th May 2018. Mr. R. Ramana, Executive Director (Planning), Mumbai Metro Rail Corporation Ltd was the Guest of Honour. Mr. Pratap Salunkhe, Vice President, Mr. Neerav Parmar, Hon Gen Secretary, Mr. Pradeep Nagawekar, Hon Gen Treasurer, Imm. Past Chairman-Mumbai Centre and Mr. Vilas K. Birari, State Chairman-Maharashtra also graced the occasion. Other office bearers of the Centre were also installed. Senior members & functionaries of BAI Centres from Chhattisgarh, Gujarat, Goa, MP & Maharashtra were present for the function.

The 'First BAI Western Region Meeting 2018-19' was held in Mumbai on 18th May 2018 which was hosted by Mumbai Centre. Mr. Pratap Salunkhe, Vice President chaired the meeting. Mr A. Puhazhendi, President was the Chief Guest. Mr. L. D. Kotwani, Imm Past Vice President, Mr. Neerav Parmar, Hon Gen Secretary, Mr. Pradeep Nagawekar, Hon Gen Treasurer, Mr. K. Chandrasekhar Rao, State Chairman-Chhattisgarh, Mr. Vilas K. Birari, State Chairman-Maharashtra, Mr. Gyan Madhani, Chairman-Mumbai Centre also graced the dais during the meeting. Issues regarding building and construction industry in the states of Chhattisgarh, Gujarat, Goa, MP and Maharashtra were discussed along with BAI organisational matters.

Muvattupuzha Centre

Two family meetings were conducted by the Centre with various cultural activities ensuring the participation of the members along with their family during the year.

Two Builders Day celebration programmes were conducted by the Centre during the year. Mr. M V Antony, Past Secretary General of IFAWPCA and Sri Ren Abraham, IRS, GST Additional Commissioner were the Chief Guests.

Once in a month the General body meeting was conducted by the Centre with good participation of all members. As per the General body decision, several foreign trips were conducted. The General body meeting was conducted abroad, first year it was at Moscow, Russia and in Colombo, with great participation.

It was a pride for Muvattupuzha Centre that, few leaders were selected to the State Committee. Mr. Paul T Mathew as State Chairman, Kerala, Mr. Geordy K Abhraham as State Secretary and Mr. Sabu Thomas as State Vice Chairman. Mr. Pelexy K. Varghese was selected as the Centre Secretary of BAI, Muvattupuzha Centre.

When GST was implemented, various Seminars and classes were conducted to make awareness amongst the confused contractors. To overcome various problems including GST, the Centre moved on to Court proceedings and submitted representations to various department heads. The Centre was able to get favourable decisions and changes from these proceedings. The Centre sent so many letters to Government officials and ministers of PWD, Irrigation and industries to safeguard the members interests.

During the disastrous flood of August 2018, the Centre provided helping hands to different Camps and flood affected areas. The town and nearby places were drowned in the flood. All the roads and bridges were submerged in water. So many houses of our members were water logged and members were rescued by boats and several tippers were modified the exhaust pipe on to the top of the cabin and shifted people on the road submerged with water. We donated pulses, rice and needy house hold items to the poor people in the camps. The Centre got Rs.1,00,000/- from BAI Headquarter for the purchase of relief materials. Also the Centre constructed two new house with the aid from BAI Headquarter and also repaired three houses that were damaged in the flood. The Centre also collected Relief materials from BAI National Committee as well as State Committee and distributed it.

The Builders and Contractors community especially Thiruvalla, Changanacherry, Ettumanoor, Kottayam, Alleppey, Muvattupuzha, Angamaly, Kochi, Thrissur worked hard to help the people to evacuate from the flooded area. Members of BAI contributed their vehicles

mostly tippers to convey human to safer area. Members also helped by transporting food article to the camps. Several camps were managed by members of BAI.

Mysore Centre

The installation function of new team of Office Bearers of the Centre for the year 2018-19 was held on 12th April 2018. Mr. M.R. Jaishankar, CMD Brigade Group graced the occasion as the Chief Guest along with Mr. H.N. Vijaya Raghava Reddy, Imm. Past President, BAI, as the installing officer and Mr. K.S. Someshwara Reddy, State Chairman, BAI, Karnataka, as the Guest of Honour. The 'Entrepreneur Extraordinaire' Award for the year 2018-19 was given to Mr. M.R. Jaishankar, CMD-Brigade Group on the same day.

The installation ceremony of new team of SPOORTHI for the year 2018-19 was held on 15th April 2018. Dignitaries on the dais along with Spoorthi President and Secretary inaugurated the programme by traditionally lighting up the lamp.

Health check-up camp was arranged at MBCT Clinic on 17th April 2018. The camp was inaugurated by lighting the lamp by BAI Mysore Centre Chairman, Mr. K. Subramanya Rao along with Mr. N. Subramanya, Trustee of MBCT. This camp was conducted at free of cost. Nearly 100 people got benefitted from this camp.

The Centre celebrated 'May Day' on 1st May 2018. Smt. Hemalatha was the Chief Guest on the occasion. Sports Meet for construction workers and their families was held at Mahajana's College Ground, Mysore, in association with BAI Mysore Centre and Spoorthi – The Ladies Wing of BAI Mysore Centre. 450 construction workers and their children participated in the sports events. 5 Artisans were honoured. Followed by Lunch and film tickets were distributed.

The inauguration function of 'World Environment Month 2018' celebration was held on 2nd June 2018. The event was inaugurated by Chief Guest Dr. L. Narayan Reddy, Innovative Organic Farmer & Key Note address was delivered by Mr. Kamal Sagar, Renowned Environmentalist. BAI Mysore Centre is the only centre to celebrate the World Environment Month.

The inauguration function of 'A Green Day with Home Maker' was held in Mysore Builders' Charitable Trust Auditorium, on 4th June 2018. The event was inaugurated by Chief Guest Dr. K. Raghavendra R. Pai.

On 5th, 7th & 14th June 2018, more than 1500 seed balls prepared and more than 500 mega saplings planted by members of BAI Mysore Centre and members of Spoorthi. A Press Meet was arranged on 20th June 2018 about My Green Exhibition towards World Environment Month Celebration 2018.

BAI Mysore Centre and Spoorthi together celebrated International Yoga Day on 21st June at MRC, Mysore. It was a great experience doing Yoga together. All the participants enjoyed thoroughly doing yoga at the foot of Chamundi Hills.

An exclusive Exhibition of Eco friendly construction products, organic products and green life styles was inaugurated by wellknown water activist and urban planner Sri Vishwanath at MBCT Auditorium on 22nd June 2018. Mr. A.R. Ravindra Bhat, Managing Trustee, was Guest of Honour on the occasion.

BAI Mysore Centre in association with MBCT, Mysore organised its 5th edition of MY GREEN 18 Exhibition as part of world environment month celebration at MBCT premises, Mysore, on 23rd& 24th June 2018. The main objective of the exhibition was to create awareness among the citizens of Mysore and motivate them to adapt to a more environment-friendly lifestyle. A health check-up was organised for the general public at MBCT premises. Drawing and Painting competition was held for school children on 24th June 2018 and 650 students participated in the competition.

BAI Mysore Centre organised a Debate Competition for the Pre-University and Degree Students. 15 students from Pre-University and 14 students from Graduate level participated in the Debate Competition. The topics were **'Renewable energy cannot replace fossil fuels' for Pre-University students and 'Construction of Dams – a viable for water crisis' for Degree students.**

On 6th July 2018, BAI Mysore Centre in association with Mysore Builders Charitable Trust had organised a programme to felicitate meritorious children of the construction workers who scored more than 70% of marks in the recently concluded S.S.L.C. and 2nd PUC examinations. Total 23 meritorious students were felicitated during the function.

BAI Mysore Centre and Spoorthi in association with Narayana Multispeciality Hospital and Annapoorna Eye Hospital conducted free Health Camp on 14th July 2018 at Maharaja Junior College. ECG, ENT, Blood Sugar, Blood Pressure and Eye tests were also done at free of cost to the construction workers at the renovation site. Nearly 90 workers got benefitted from this camp.

BAI Mysore Centre along with Mysore Builders Charitable Trust and the Ladies Wing of Spoorthi celebrated the 72nd Independence Day on 15th August 2018 in MBCT premises. Spoorthi donated 30 Sports T Shirts for the students.

On 19th September 2018, BAI Mysore Centre in its customary programme on Engineers Day conferred the Awards of 'Engineer par Excellence' to an eminent retired Engineer-in-Chief of Karnataka Engineering Research Station Mr. C.B. Lakshman Rao and 'Teacher Extraordinaire' to Dr. H. Ananthan, Prof. of Civil

Engineering VVIT, Mysore. A Plaque of Honour and traditional Mysore Peta was presented to the awardees.

On 15th& 16th November 2018, Mason Training Programme was held by BAI Mysore Centre in association with M/s. Ultra Tech Cement Ltd. About 55 Masons participated in the programme.

On 22nd November 2018, Student of Maharaja Institute of Technology, Tandavapura, were inducted to Shilpi Wing in the Campus of MIT College, Tandavapura. 140 Civil Engineering Students were inducted into the Shilpi Wing of BAI.

An International Seminar 'BuildTech 2018' was held on 23rd& 24th November 2018 in the presence of BAI Mysore Centre Chairman, Shri Subramanya Rao and his team of office bearers.

BAI Mysore Centre celebrated "Builders' Day 2018-19" on 24th December 2018, on the theme **'Innovative Techniques in Modern Construction'**. Mr A Puhazhendi, President was the Chief Guest. Mr Anil Kumar Pillai, Sr DGM-Technical Services, M/s The Ramco Cements Ltd; Mr K S Someshwara Reddy, State Chairman-Karnataka and Mr A R Ravindra Bhat, Managing Trustee, Mysore Builders' Charitable Trust were the Guests of Honour. Mr Pillai gave a presentation about the new products introduced by M/s Ramco Cements. Mr M S Ramprasad, Past Chairman and Mr J V R Naidhruva, Chairman-Elect of Mysore Centre were bestowed 'Builder Par Excellence of the Year 2018' award and Mr. M. C. Mallikarjun, Past Chairman was bestowed with 'Member Extraordinaire Award'.

An Awareness Programme was organised on 19th February 2019 at MBCT premises for the benefit of construction workers. Dr. Chandrashekhar, Surgeon at KR Hospital was the Chief Guest and Dr. Hemalatha, Nutritionist was the Guest of Honour. The programme was conducted by the interaction with the construction workers, BAI members and Spoorthi members.

On 2nd& 3rd March 2019, SHILPI CUP cricket tournament was held at AJCE Ground by Dr. Sangameshwara, Vice Chancellor, JSS University of Science and Technology, Mysore. 11 Engineering College teams were participated in the tournament and PES Engineering College, Mandya bagged the winning trophy.

During the year, the Centre conducted 12 Executive Committee Meetings.

Namakkal Centre

Installation function of the Office Bearers of the Centre for the year 2018-19 was held on 6th May 2018. Mr. A. Puhazhendi, President, BAI, was the Chief Guest. Mr. M. Thirusangu, Vice President, South Zone-II, Mr. S. Ayyanathan, State Chairman, Tamil Nadu, Puducherry

& Andaman Nicobar; Mr. R. Devarasan, President, Kongu Vellala Gounderkal Peravai, were also participated in the function.

The Centre celebrated Builders' Day 2018, on 23rd December 2018, in a befitting manner. Mr. A. Puhazhendi, President, BAI, was the Chief Guest. Dr. PSKR Periyasamy, Chairman, Namakkal Builders Association Trust, was the Guest of Honour. During the year, the Centre conducted Executive Committee Meetings and General Body Meetings every month.

Nashik Centre

The first BAI Maharashtra State Meeting 2018-19 was held on Friday 21st July 2018 at Nashik which was hosted by Nashik Centre. The meeting was chaired by Mr Vilas Birari, State Chairman-Maharashtra. Mr A. Puhazhendi, President also graced the meeting and addressed the members. The meeting was well attended by senior functionaries from the state. The deliberations on the building and construction issues of the state were discussed and a road map to tackle them was decided.

Shri Vilas Birari was installed as State Chairman of Maharashtra on 21st July 2018 at Nashik by Mr A Puhazhendi-President who was the Chief Guest. Mr Rameshwar Malani was installed as State Secretary and Mr. Sanjay Patkar was installed as State Treasurer of Maharashtra for 2018-19.

Perambalur Centre

Mr. A. Puhazhendi, President was in Perambalur on 16th February 2019. First he along with senior functionaries of the Centre paid homage to 40 CRPF Jawans who scarified their lives for the Nation.

Thereafter Centre had arranged a Press Meet to voice the concerns of building and construction industry over the abnormally rising cements prices and other contentious issues. President addressed the print & electronic media, highlight various issues and requested action by State and Central Governments without delay. Mr. S. Sultan Ibrahim, Chairman & other bearers of the Centre were present during the Press Meet.

Phaltan Centre

Mr Rahul Laxman Lalawade was installed as Chairman of the Centre by Chief Guest Shreemant Sanjeevraje Naik Nimbalkar, President Zila Parishad, Satara on 30th April 2018. Mr Avinash M Patil, Past President was also the Chief Guest. Mr Deepak Chavan, MLA Phaltan-Koregaon, Shreemant Vishwajeetraje Naik Nimbalkar, Member-Panchayat Samitee, Phaltan; Mr Pratap B Salunkhe, Vice President, Mr Vilas K Birari, State Chairman, Maharashtra and Mr Vijay Devi-Trustee were Guests of Honour. Other office bearers of the Centre were also installed on the occasion.

Pune Centre

BAI Pune Centre Office Bearers Installation Ceremony was held on 13th April 2018 at Residency Club, Pune for New Office Bearers for the year 2018-19, Mr. A Puhazhendi – President– BAI was the Chief Guest and Mr. Pratap Salunkhe – Vice President was the Guest of Honour. Mr. Vilas Birari, State Chairman-Maharashtra also graced the occasion.

The Centre organised a Seminar on "Advance methods of waterproofing and precautions" at Sumant Moolgaonkar Hall, MCCA, Pune on 30th May 2018.. Mr. Jayant Khode from Concept Consultants is expert in Chemical Waterproofing Treatments and Mr. Laxmikant Umarji, Managing Director M/s Samerka Consultants Pvt. Ltd., Mumbai, were the Faculty member of the seminar. More than 100 delegates attended the seminar. Col. S M Adsar was the Convener of this Seminar.

12th Edition of Students' Internship Programme conducted between 21.05.2018 to 09.06.2018 about 145 students participated. Students were given certificates of internship. Likewise 13th Edition of Students' Internship Programme was held between 22.12.2018 to 12.01.2019 about 140 students participated. Due to over whelming response of students number of participants were increase substantially. Shri Jaideep Raje and Shri Sanjay Vaichal were the coordinators of both the Students' Internship Programme.

Construction of Toilet Blocks / Fresh Rooms for Girls - Pune Centre under its social obligation every year constructs a set of Toilet blocks / Fresh Rooms for rural schools which imparts education to mostly Girls students. Under this programme BAI Pune Centre constructs a Toilet Block / Fresh Room for Girls students at Village Rule Near Khadakwasla under the guidance of Shri D S Shirole Convener of this activity, which he undertakes every year with utmost sincerity.

To encourage and appreciate efforts of Children of our members a Children's Felicitation Programme was held on 14th July 2018 at The Ladies Club, Pune. More than 100 Children were felicitated and given gifts and certificates at the hands of Chief Guests Mrs. Jalaja Bhingare & Mrs. Rutuja Deshpande – both are recipients Shiv Chatrapati Awardees in Swimming.

Seminar on "Water & Waste Water Management" at the Institution of Engineers, Pune – 11th August 2018 - Mr. Kishor Desai from Kishor Pumps and Mr. Rajendra Mahulkar, an eminent speaker on Water Management was the Faculty of the Seminar. More than 100 delegates attended the seminar. Col. S M Adsar was the Convener of this Seminar.

Centre organized -Tree Plantation Programme on 12th August 2018 at Dr. R B Krishnani's Farm House at Village Kadus, Pune. Members in large attended the programme,

Centre also arranged Flag hoisting programme on 15th August 2018 and 26th January 2019 .

Builders Day Celebrations – 26th October 2018 at The Residency Club, Pune. – It is celebrated to pay tribute to the builders, engineers & contractors and acknowledge their contribution in the nation building. The theme for 2018-19 was “Innovative Techniques in Modern Construction”. Dr. R B Krishnani, Er. R B Suryavanshi, Er. Neelkanth S. Joshi & Er. C S Parhar all Senior Members of Centre were felicitated for their exemplary work in the field of construction at the hands Chief Guest Er. Ajit Bhat – M.D. Precast India Infrastructure Pvt. Ltd, Pune and Guest of Honour Er. Swaraj Datta Gupta, Senior Academy Client Manager, Digital Advancement Academy (Pune) in a traditional manner by offering them a shreefal, shawl and a Memento. All the felicitated members shared their experiences and enlightening thoughts to encourage others for performing and achieving better. 70 Plus members attended the function.

Well Built Structure Competition (WBSC) in its 22nd edition had 40 Plus participants The competition is held primarily to encourage Quality, Speed and Economy, Labour welfare and safety aspects are also considered as important aspects. BAI – B G Shirke Awards for 2018 competition were awarded in the presence of 300 plus building professionals. Chief Guest Shri A. Puhazhendi- President & Guest of Honour Shri Pratap Salunkhe – Vice President- West Zone presided over the Award Ceremony. Mr. V. G. Jana of M/s B G Shirke Construction & Technology Pvt. Ltd. along with Mr. R B Suryavanshi Sponsor of the WBSC awards did the honors of giving away awards to the winner participants. Shri Jagannath S. Jadhav was Chairman – WBSC Committee.

Along with Well Built Structure Competition Awards, BAI Pune Centre also declared BAI – P B G S Life Time Achievement Award “Nirman Ratna”. This year the prestigious award was conferred upon Shri V. G. Jana, Senior Chief Executive – M/s B G Shirke Construction Pvt. Ltd for his exemplary services to BAI and construction industry, society and educational field. A citation, along with memento and purse of One Lac Eleven Thousand was presented on 14th December 2018. The award was sponsored by M/s. B. G. Shirke Construction Technology Pvt. Ltd, Pune.

BAI Pune Centre’s Annual Engineering Diary was also published at the function held on 14th December 2018 at the hands of Chief Guest and distinguished on dais. Diary Convener Shri Siddharth Shah was felicitated by the hands of Chief Guest for wonderful job done.

The Centre organised Technical Site Visit to TEMGHAR Dam on 5th February 2019, visit to Raigad Fort on 16th and 17th February 2019 for its members.

Seminar with Bentley Systems India Pvt Ltd was conducted on 16th January 2019 at Digital Advance

Academy, Magarpatta City, Hadapsar, Pune. Members & delegates in large numbers attended the seminar.

Seminar on “Preservation of our Heritage Buildings” at the Institution of Engineers, Pune on 14th February 2019. Mr. Mrinalini Sane and Mr. Swanand Arole and Er. Dhairyshil Khairepatil was the Faculty of the Seminar. More than 100 delegates attended the seminar. Mr. S K Killedarpatil was the Convener of this Seminar.

Ramanathapuram Centre

The Centre organised General Body meeting on 17th June 2018 at FSM Building, Ramanathapuram which was attended by senior members, functionaries and office bearers of the centre. Er. N. Anandhan, Chairman chaired the meeting in which various issues relating to the members and industry were discussed.

The Centre organised a trip to Kodaikanal on 22nd & 23rd September 2018 and members from the Centre along with their family members participated in the trip.

The Centre organised New Year Celebrations on 28th & 29th December 2018 at Coutralam, which was attended by centre members along with their family members and friends.

Ranchi Centre

The Centre celebrated World Environment Day on 5th June 2018. On the occasion world environment day plantation of saplings were done in Birsa Munda bus stand by the member of Ranchi centre.

Ranchi Centre organised its 56th installation ceremony in hotel Chankaya BNR, Ranchi on 13th June 2018.. The Chief Secretary of Jharkhand Shri Sudhir Tripathi was Chief Guest of the event. The office Bearers for the year 2018-19 were sworn in, in this event. M/s Ram Kripal Singh Construction Company Pvt Ltd was awarded as the “Builder of the year” for the year 2017-18.

Independence day was celebrated in Ranchi centre office on the occasion of independence day on 15th August 2018.. Flag hoisting was done by the Chairman Shri Sanjit Singh. Office bearers, senior members, members and office staff were present in this occasion. Various skill development, safety measures and labour welfare programs were conducted throughout the year in the work sites of fellow members of Ranchi centre.

Republic Day was celebrated in Builder’s association of India, Ranchi centre on the occasion of republic day on 26th January 2019.. Flag hoisting was done by the Chairman Shri Sanjit Singh. Office bearers, senior members, members and office staff were present in this occasion.

Satara Centre

Mr. Sayaji Shivajirao Chavan was installed as Chairman of the Centre along with office bearers by Chief Guest,

Mr. A. Puhazhendi, President. Mr. Pratap B. Salunkhe, Vice President, Mr. Vilas K Birari, State Chairman-Maharashtra and Mr Vijay Devi, Trustee was the Guests of Honour.

Shahada Centre

Mr. Pratap B. Salunkhe, Vice President-BAI visited Shahada Centre along with Mr. Shitalkumar Mohan Nawle, Chairman Dhule Centre; Mr Mohan Satpute, Chairman-Ichalkaranji Centre and Mr Sanjay Rooge, Hony Secretary, Ichalkaranji Centre and met Mr K K Patel, Chairman-Shahada Centre and other office bearers. Mr. Pratap Salunkhe briefed them about various activities, its efforts in solving the problems of construction industry and also heard the problems of Shahada Centre.

Silchar Centre

Silchar Centre organised an 'Awareness & Skill Development on Masonry Works' programme on 3rd June 2018 at the construction site of M/s. Sai Aastha Construction. Er Saugata Shom was the main speaker and spoke about the finer points of masonry works and the participants were given constructions kits. Chairman, Mr. Randhir Basu and other office bearers of the Centre were present on the occasion.

Silchar Centre organised "Awareness Programme" on 'Safety Measures in Construction' on 12th August 2018, sponsored by M/s. ABCI Infrastructure Pvt Ltd. Safety materials were distributed amongst the construction workers. Chairman, Mr. Randhir Basu, other office bearers of Centre and Mr. Pinak Pani Nath, founder Chairman of Centre co-ordinated organising of the event.

Solapur Centre

Mr. Dattatray S Mule was installed as Chairman of the Centre on 5th May 2018 by Mr. Pratap Salunkhe, Vice President. Mr. Subhash Deshmukh, Minister for Co-operation, Marketing & Textile, Government of Maharashtra was the Chief Guest. Mr. Deshmukh is also BAI member from Solapur Centre. Other office bearers of the centre were also installed.

Engineers' Day was celebrated by the Centre on 15th September 2018. Prof. Prakrsha Sangave from Orchid College of Engineering, Solapur, was the Chief Guest.

Mechcon Exhibition was organised from 4th January 2019 to 6th January 2019, near Sangmeshwar College Play Ground, Solapur. There were 55 Stalls in the Exhibition.

BAI Solapur Centre had been taken initiative to form the construction forum. Organisations like Engineers, Promoters, Builders, Architects and Labour Contractors. Through this forum, the Centre submitted representation on Highway-Road problem in the city.

Southern (Chennai) Centre

Mr. L. Venkatesan was installed as the Chairman of the Centre for 2018-19 by Mr R Radhakrishnan, Past President & Trustee on 27th April 2018 along with other office bearers. Mr A Puhazhendi, President presided over the function. He delivered the presidential address and applauded the unity amongst the BAI Members. Mr. M. V. Satish, Director & Sr. Executive VP, L&T Construction was Chief Guest and praised the various activities being carried out by the Centre and assured full support to the builders fraternity. Mr. M. Ponnuswami, Chairman, CII-TN was the Guest of Honour and spoke about of CII role in construction industry. Mr S. Ayyanathan, State Chairman, Tamil Nadu, Puducherry & Andaman Nicobar felicitated the office bearers. Other senior members from the centre attended the meeting.

The Centre hosted the 'First BAI Tamil Nadu State Meeting 2018-19' on 28th April 2018. Mr S. Ayyanathan, State Chairman, Tamil Nadu, Puducherry & Andaman Nicobar chaired the meetings and Mr. M Thirusangu, Vice President graced the meeting. Senior functionaries from the state graced the dais. Chairmen & office bearers, Managing Committee & General Council members, Special Invitees for Centres in the state attended the meeting and matters relating to the construction industry in the state and around were discussed.

The 68th Annual General Meeting of the Centre was held on 30th May 2018. Mr L. Venkatesan, Chairman chaired the meeting and members were brief about the activities of the Centre during the year 2017-18. Under the Chairmanship of Mr. K. Venkatesan, the Centre has been playing a vital role in bringing down the GST from 18% to 12% by taking active role in organising the GST in the presence of Union Finance Minister, conducting medical camps and training programme for construction workers etc. Mr. R. Radhakrishnan, Past President & Trustee highlighted that, Mr. Venkatesan is 50th Chairman of the Centre and expressed hope that, 69th AGM will be held in the building of 'Southern Builders Charitable Trust'. Other senior members and office bearers of the centre were also present during the AGM.

A Seminar on 'New Modern Technologies in Construction Industry' was organised by BAI Southern (Chennai) Centre along with L&T Construction Ltd. at L&T Campus in Ramapuram on 15th June 2018. Around 150 Members attended the Seminar. Inaugural session was done by BAI Past President & Past Trustee, Bhishma R. Radhakrishnan; Chairman, Mr. L. Venkatesan; Vice Chairman, Joint Secretary, Committee Chairman and Co-Chairman along with Mr. Sreekumar and Mr. Vinod Jacob Chacko of L&T Construction.

The first medical camp for construction workers was organised on 17th June 2018 at the Walfs Meridian Hospitals, Madhavaram. The camp started in presence of BAI Past President & Past Trustee, Mr. R. Radhakrishnan;

Office Bearers and Senior Members of the Centre. About 250 workers were screened for Kidney, Cardiovascular, Eye sight, BP and Diabetes etc. Around 10 workers were detected for oral cancer, spectacles were given for 35 workers and around 25 workers were advised for cataract surgery.

On 17th July 2018, the Office Bearers of the Centre submitted a representation to Mr. S. Krishnan, Principal Secretary to Government, Housing and Urban Development and he was very kind enough to assure that the Government will do the best possible for the builders community.

Around 25 members including Senior Members travelled to Moscow on a tour to learn about the Construction Development in the country.

On 25th July 2018, the 62nd Assessment Committee Meeting was held at PWD office. Hon. Joint Secretary Mr. R.R. Shridhar attended the meeting and discussed with the authorities for the approval of construction materials.

The Centre conducted 'Workers Training – Electrician Training' programme on 21st September 2018 which was inaugurated by Mr. L. Venkatesan-Chairman. The 15 days Electrical Training programme (22nd Sept – 6th Oct 2018) was conducted for 18 drop out students at Dhanush Engineering Service India Ltd and Mr Ganpathi Rao & Mr Balasubramani – Electrical Program Trainers trained the students. Mr S Ayyanathan, State Chairman, Tamil Nadu, Puducherry & Andaman Nicobar, Mr K. Ramanujam – Trustee, Mr. R. Radhakrishnan, Past President & Past Trustee were present. Valedictory Function was held on 6th October 2018. Mr. Mu. Moahan, Past Vice President and other senior members from the Centre were present. Certificates to all participants and three winners were distributed during "Builders Day 2018-19" celebrations of the Centre on 26th October 2018.

The Centre celebrated 'Sports Day' on 7th October 2018 by organising a 'Badminton Tournament'. Mr Anna Srinivasan, Vice President, Kanchipuram Distt. Badminton Association & Mr. P. Maran, All India Badminton Coach inaugurated the tournament and 11 Teams participated. Mr. Jaiker Joseph Referee conducted the tournament with four umpires. Mr. Mu. Moahan, Past Vice President graced the occasion. Mr Y. Guruswamy, Sports Committee Chairman, Centre Chairman & other functionaries of the Centre organised the tournament.

In the run-up of the "Builders' Day 2018", Centre conducted a 'Oratorical Competition' on 22nd Oct 2018 on the topic 'Innovative Techniques in Modern Construction'. Students of Civil Engineering imparting institutions from in and around Chennai participated. The Jury for the competition consisted of Dr. D. Thukkaram, Past Trustee, Dr. T. V. Moorthy, Dr. Smt Shobhana & Dr. Smt. T. Madhavi from SRM University. Chairman & Co-chairman-Seminar & Meeting Committee, Centre

Chairman & other office bearers of Centre organised the competition. The winners were distributed awards during the "Builders Day 2018" on 26th October 2018.

Centre organised 'Builders Day 2018' on 26th October 2018. In a gala function in the evening, Mr S Ayyanathan, State Chairman, Tamil Nadu, Puducherry & Andaman Nicobar was the Chief Guest. Mr. Mohansundaram of 'Pattimandram TV Fame' was the Guest Speaker. During the afternoon a special Medical Camp was conducted for construction workers and more than 300 workers were screened by the panel of doctors. More than 35 faculties carried out the medical check-up and tests for diabetes, blood pressure monitoring, dental screening and Eye check-ups and other general tests. Free medicines were distributed. Prizes and Certificates were distributed to the winners of Oratorical Competition held 22nd October 2018. Mr.J.R. Sethuramalingam, Past Vice President & Past Trustee was felicitated by the Centre for his meritorious services. Mr. N. G. Lokanathan, Chair-Health Committee and Mr G. Diwakar & Mr. R. Balasubramaniam, Chairman & Co-chairman, Builders' Day Committee respectively were also felicitated. Mr. L. Venkatesan - Chairman and other office bearers / functionaries of the Centre co-ordinated in organising of the event.

On 16th November 2018, BAI Southern (Chennai) Centre organised a State level GST Meeting. Mr. Gnanasekaran, Additional Commissioner of Commercial Tax Department of State Government has stated that, any problem faced by the Builders during previous TN VAT regime will be redressed and requested members to contact his office for any specific violation by the Department. He further stated that, the previous taxes like Central Excise, Service Tax and Sales Tax has confused the common people to understand leading to litigation. In order to easily understand a single point Tax called GST was introduced. Understanding the same will take some time and in the near future all the problems will be redressed by the GST Council. Chief Guest Mr. G. Ravindranath, IRS, Commissioner of GST and Central Excise has elaborated the rules of GST and given reply to the points raised by Bhisma R. Radhakrishnan, Past President & Past Trustee and other delegates.

BAI Southern (Chennai) Centre organised a Press Meet in Chennai Press Club on 12th February 2019 against the abnormal increase in cement price.

A Family Meet was celebrated by the Centre on 2nd March 2019. More than 300 families from the construction industry participated in the function. Games for children, fabulous show of entertainment, dance and music were arranged. Gifts were distributed to all with delicious dinner.

Telangana State

A grand installation function for installing Mr. D.V.N. Reddy as State Chairman of BAI-Telangana State for 2018-

19 along with the Chairmen of the 12 Centres (Adilabad Centre, Greater Hyderabad Centre, Hyderabad Centre, Kamareddy Centre, Karimnagar Centre, Khammam Centre Mahboobnagar Centre, Medak Centre, Nalgonda Centre, Nizamabad Centre, Ranga Reddy Centre and Warangal Centre) was organised on 12th April 2018. Mr A Puhazhendi, President was the Chief Guest and Mr. Ch. Ramakotaiah, Vice President was the Guest of Honour. Mr. Puhazhendi talked about the problem of non-payment for Government works completed in time and Mr B Seeniah stressed upon to stop the practice of calling the tenders without budget provisions. Other senior members from Andhra Pradesh and Telangana attended installation function.

The 'Third BAI Telangana State Meeting' was held on 3rd& 4th Oct 2018 at Vijay Vihar, Nagarjuna Sagar, Nalgonda. Mr D.V. N. Reddy, State Chairman-Telangana chaired the meeting. Senior members, functionaries and office bearers from the state graced the dais during the meeting. Issues confronting the building and construction industry in Telangana in particular and the nation in general were discussed along with BAI organisational matters.

Thanjavur Centre

Installation Function of New office bearers 2018-19 was held in BAI Thanjavur Trust Building on 24th April 2018. Mr. A. Phuazhendi, President was the Chief Guest and installed the Chairman & his team of office bearers. Mr. M. Thirusangu, Vice President was the Guest of Honour and released of Kattunar Modal Magazine. Mr. S. Ayyanathan, State Chairman installed new Patron and Annual Members.

Centre arranged a Technical Presentation about the Solar Energy in a meeting on 28th May 2018 at Hotel Abi's Inn and the presentation was given by Er. M. Murugesan District Engineer TEDA (Tamil Nadu Energy Development Agency). The meeting was attended by members from the centre in large number.

Centre arranged a Technical Presentation on 27th June 2018 at BAI Trust Building regarding. "Project Planning and Management – Modern Approach" which was given by. Er.R.Sivaliyam, Former President Faceat & , Managing Director, Sigaram Construction Pvt., Ltd., Erode Centre Chairman, Office bearers and other members of the centre attended the technical presentation Centre arranged a Technical & Product Presentation on 25th July 2018 at BAI Trust Building About 'Solar Energy' which was made by Johnson tiles Company.

Thanjavur Centre celebrated Independence Day on 15th August 2018 and many past chairmen participated in the celebrations. Centre also celebrated Republic Day on 26th January 2019. National Flag was hoisted on the occasion. Mr S Vaithiyanathan, Chairman and other office bearers of the centre co-ordinated organising of the celebrations.

Centre arranged a Technical Presentation on Water Proofing & Building Solution which was made by V.Sathish Kumar of M/s. Conprotech Solutions. Thanjavur on 29th August 2018 at BAI Trust Building. The event was attended by member from the centre in large number.

A Technical Presentation was arranged About Past Control & Building solution. The presentation was made by Mr. G. Ramakrishnan of M/s Past Control Service, Thanjavur on 24th Sept 2018 at BAI Trust Building.

A Presentation was made about constitution by Shri K.Padmanaban on 29th October 2018 at BAI Trust Building. Another presentation was made about constitution by Shri. K. Padmanaban on 3rd December 2018. Matter regarding relief work in Gaja cyclone affected areas was also discussed.

A special meeting to organise Builders' Day Celebration was held on 30th December 2018 at Cauvery Kalyana Mandabam. Thanjavur. Mr. A. Puhazhendi- President was the Chief Guest and Mr. I. Leoni Patimandram from Dindigal was the Special Guest. Lifetime Achievement Award was conferred on Er. N.Ayyadurai and Appreciation of Excellence Award was conferred on Thiru. S. Prabhu, and Thiru M Ayyappan. Awards to Meritorious students of BAI Thanjavur Centre Member's Children and Two Best Construction workers Awards Given on the occasion.

Meeting to review the one year activities for the 2018-19 was held on 26th March 2019 at BAI Trust Building Chairman of the Centre reviewed the activities undertaken by the centre during the year and highlighted the achievements. Annual Report of the Centre was given by the Secretary and Annual Account statement was given by Treasurer of the Centre. Members lauded the work done by the Chairman and his team of office bearers.

Centre arranged meeting to Release of Diary & Calendar 2019 – 20 and special meeting was held on 11th Feb 2019 at Rotary Hall, Thanjavur. Presentation on "Budget & G.S.T. Reg" was given by Shri. K.V.Rajan Asst. Commissioner GST & Shri. C.A.V. Alagappam Past Chairman SIRC Trichy of ICAI.

Theni Centre

Mr A Zahir Hussain was as installed Chairman of the Centre on 4th May 2018 by Mr A Puhazhendi, President - Chief Guest. Mr M Thirusangu, Vice President, Mr S Ayyanathan, State Chairman, Tamil Nadu Puducherry & Andaman Nicobar, Mr. V. Ramachandran, Past President & Past Trustee were the Guests of Honour. Other office bearers of the centre were installed on the occasion.

Thrissur Centre

Installation function of the Office Bearers of the Centre

for the year 2018-19 was held on 16th June 2018. Mr. Cherian Varkey, Past President, BAI, was the Chief Guest. Mr. Paul T. Mathew, State Chairman, Kerala, installed all the office bearers of the Centre for the year 2018-19. The function was a grand success with maximum members participated.

BAI Thrissur Centre actively involved in flood relief activities with BAI Kerala Centre under the aid of BAI Headquarter. The Centre distributed essential clothes and utensils to the needy people of Thrissur District during the flood. The Centre gave financial aid to the flood affected people in Kerala.

The Centre jointly celebrated Builders' Day with five other BAI Centres, namely Angamaly, Aluva, Tripunithura, Kochi (Cochin) and Kottayam.

During the year, the Centre conducted 6 Executive Committee Meetings and 2 General Body Meetings and Family meetings.

Tiruchirappalli Centre

As part of 'Image Building Activities', Centre conducted a mega tree planting at the National Institute of Technology (NIT), Tiruchirappalli on 25th October 2018, an effort which aimed to enrich the campus of NIT. Mr. A. Puhazhendi, President graced the event. 1000 trees with as many as varieties were planted. Office bearers of the centre and faculty /staff of NIT took part in plantation activity.

Civil Engineers Association of Tiruchirappali organised a Technical Meeting on 26th February 2019. Mr. A. Puhazhendi, President, BAI, was the Chief Guest. The Centre had supported the event. Members of Civil Engineers Association of Tiruchirappali, BAI Tiruchirappali Centre and other likeminded organisations attended the meeting.

Tirupur Centre

Mr. S. Jayabalan was installed Chairman of the Centre on 15th April 2018 by Mr. A. Puhazhendi, President who was the Chief Guest. Mr. M. Thirusangu, Vice President and Rtn MD L. Narayanasamy, Past District Governor were the Guests of Honours. Other office bearers of the centre were also installed. On the occasion centre sponsored lifetime educational expenses of two orphans.

On 22nd July 2018, BAI Tirupur Centre jointly organised Blood Donation Camp (for Government Hospital) with Muyarchi Makkal Amaippu. More than 30 Members were participated and donated Blood. Appreciation Certificates given to all the Blood Donors.

The Centre organised a Seminar on 'Construction Accident's Legal Aspects and Remedies. Mr. K. Arul, Retd. Additional Director for Industrial Safety & Health, Mrs. C. Anitha Rosalind Mary, Dy. Director of Industrial Safety

& Health (BOCW), Coimbatore; Mr. R. Parthiban, Advocate and Labour Law Practitioner; Mr. P. Hari Krishna, Insurance Consultant, Gemini Insurance Service Pvt. Ltd. were present on the occasion.

The Centre conducted District Level Yoga Championship 2018 for School Students jointly with Sri Yogalaya, on 19th August 2018. The competition was separated for Boys and Girls with different category of School and College Students. The Medals, Certificates and Cup given to Winners of first three places in each categories and also certificates and medals were distributed to all the participants.

On 21st August 2018, the Centre contributed Rs.2.00 Lakh towards Kerala Flood Relief Fund and the same was sent to BAI Headquarter.

The Centre organised Felicitation function and Appreciation Awards to School Teachers on Teachers Day celebration in Panchayat Union Middle School, Velamapalayam, on 5th September 2018. Appreciation Awards given to 3 Best Teachers for their outstanding teaching performance to the school and students.

On 20th September 2018, the Centre sponsored fund of Rs.2.00 lakh for Tirupur City 4th Water Scheme Development and the Cheque handed over to Thiru S. Gunasekaran, MLA of Tirupur South.

The Centre celebrated 'Mupperum Vizha' – "Builders Day 2018-19" Celebration, Best Builder Award Ceremony and New Members Induction Ceremony on 15th October 2019. Mr. A. Puhazhendi, President, BAI, was Chief Guest. Mr. M. Thirusangu, Vice President and Mr. S. Ayyanathan, State Chairman, Tamil Nadu, Puducherry & Andaman Nicobar were the Guests of Honour. 'Best Builder Award' was bestowed on Mr. A. Kumar of M/s. Kumar Builders, Mr. R. Subramaniam of M/s S L Builders and Mr. N. Sundarraj of M/s Raj Associates on the occasion. President inducted new members and presented them membership certificates. Chairman and other office bearers of the centre co-ordinated the organising of the event.

On 27th January 2019, the Centre organised Traditional Pongal Festival celebration with BAI Tirupur Centre's families. 230 participants attended the function. During the year, the Centre conducted 10 Executive Committee Meetings.

Vellore Centre

Vellore Centre celebrated "Builders Day 2018-19" on 7th October 2018 and Mr. A. Puhazhendi - President was the Chief Guest. Nearly 300 construction workers were present on the occasion who were presented with gifts and were served sumptuous lunch. Chairman, Mr. B. Ramamoorthy and other office bearers were present and also co-ordinated in organising the event.

Visakhapatnam Centre

Centre organised a Technical Presentation on 'Products Familiarization and Availability of Honda Products in Construction Field' on 14th March 2018. Mr. R. K. Gautam, IDSC, SE, CWE was the Chief Guest. Mr. N. Thirumal Kumar, Area Manager Sales, M/s. Honda Seil Power Products Ltd. gave informative presentation and answered the queries.

Mr. A. Kasi Visweswara Rao, Chairman-Elect (2018-19) was felicitated by the Centre on him receiving the prestigious 'Vishwakarma Award' during the 10th 'CIDC Vishwakarma Award 2018' presentation ceremony in New Delhi on 7th March 2018, in the category 'Entrepreneur (Start-ups and individual enterprises with a turnover < Rs.50 Crores)'. Mr. M. Venkata Rao & Mr. R. Venkateswara Rao, Past State Chairmen-AP, Mr. R. Satyanarayanan & Mr. G. V. Ravi Raju, Past Chairmen and other office bearers were present on the occasion.

Visakhapatnam Centre in association with BAI Centres in Andhra Pradesh viz. Amarvathi, Guntur, Nellore, Rajahmundry, Revulapalem, Tanuku, Vijayawada and Vizag Steel City Centre hosted the second Meetings of the Managing Committee & General Council of BAI for 2018-19 on Saturday, 4th August 2018 at Saipriya Resorts, Rushikonda, Visakhapatnam. Mr. A. Puhazhendi, President chaired both the meetings. The meetings were formally inaugurated by Mr. Kambhampati Hari Babu, Member of Parliament, Visakhapatnam. The President in his inaugural address highlighted the various issues confronting the construction industry and Mr. Hari Babu assured to look into the matters and will taking it up with the State & Central Government.

On 3rd August 2018, 'BAI Conference on Construction Industry Issues' was arranged. Dr. P.R. Swarup, Director General, CIDC and Dr. S. Vijaya Kumar, Chairman - Organising Committee spoke on 'Taxation (Implementation of GST)', Adv. C B Mukundan spoke on 'Labour Issues' and Mr. Rajiv Goel, State Chairman-Haryana & Chairman-Labour Social Security Committee spoke on 'Draft Labour Code on Social Security-2018'. Other senior officials of BAI graced the dais during the interactive meeting.

Along with the BAI meetings, 'BAI EXPO 2018' – an exhibition of construction machinery, materials and methods was organised and was formally inaugurated on 3rd August 2018 by Mr P G V R Naidu, MLA, Visakhapatnam in the presence of Senior members and functionaries of BAI.

After the meetings, an 'Interactive Meetings on RERA & Unified Contract Document' was organised on 4th August 2018. The main speakers were : Mr. P. K. Malhotra, former Law Secretary, Union Ministry for Law & Judiciary who spoke on 'Unified Contract Document' and Mr V Ramnath, Executive Vice Chairman, AP Township & Infrastructure Development Corporation Ltd. who spoke on 'RERA'.

'Engineers Day' which is celebrated in commemoration of birthday of Bharat Ratna M Visvesvaraya was celebrated on 15th September 2018 by the Centre. On the occasion, a 'Seminar on Entrepreneurship in Construction Industry' was organised. Mr. VSRK Prasad, Director-Indian Institute of Petroleum & Energy was the Chief Guest. Prof. A. Prasanna Kumar, Director-Centre for Policy Studies & Former Rector, Andhra University was the Guest of Honour. Prof. G. Nageswara Rao, Vice-Chancellor, Andhra University delivered the key note address. Mr. Ch. Ramakotaiah, Vice President, Chairman, other office bearers of the Centre attended the Seminar. Chairman & other functionaries of the centre co-ordinated in organising of the event.

On 17th February 2019, the centre celebrated Builders' Day on the theme "**Innovative Technologies in Modern Construction**".

Yadadri Centre

Mr. A. Sathi Reddy was installed as Chairman of Centre on 7th September 2018 in Hotel Vivehra, Bhongir along with other office bearers. Mr. Ch Ramakotaiah, Vice President, Mr. D V N Reddy, State Chairman-Telangana, Mr. V. Venkateswara Rao, State Chairman, Andhra Pradesh, Mr. B. Seenaiiah, Past President and other senior functionaries / state office bearers of Telangana State graced installation ceremony.

Builders' Association Of India
(Apex Body of Construction Industry)
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Website: www.baionline.in • E-mail: baihq.mumbai@gmail.com

PROXY

Name of the Member

I/We, the undersigned

of

being a Member of Builders' Association of India hereby appoint

of

or failing him/her

of

or failing him/her

of

as my/our proxy to vote for me/us and on my/our behalf at the 78th Annual General Meeting of the Association being held **on Saturday 17th August, 2019 at 4.00 P.M. at FEATHERS-A-RADHA HOTEL, 4/129, Mount Poonamalle Road, Manapakkam, Chennai - 600 089.**

Signed this day of 2019.



(Signature of Member
with Rubber Stamp)

Note: Proxies, in order to be effective, must be received by the Association not less than 48 hours before the time of the Meeting.



Builders' Association of India

(Apex Body of Construction Industry)

FUNCTIONING CENTRES

<p>ANDHRA PRADESH STATE Amaravathi Guntur* Nellore Rajahmundry Ravulapalem Tanuku Vijaywada Visakhapatnam Vizag Steel City</p> <p>ASSAM STATE Guwahati Silchar Tezpur</p> <p>BIHAR STATE Patna</p> <p>CHATTISGARH STATE Bilaspur Durg-Bhillai Jagdalpur Kanker Raipur</p> <p>DELHI STATE Delhi Delhi East Shahadara Delhi North Delhi South Delhi West</p> <p>GOA STATE Goa</p> <p>GUJARAT STATE Baroda Bharuch Gandhinagar Gujarat (<i>Ahmedabad</i>) Karnavati* Rajkot Surat</p> <p>HARYANA STATE Gurgaon Karnal Kundli Faridabad Chandigarh</p> <p>JHARKHAND STATE Hazariabagh</p>	<p>Jamshedpur Jharkhand (<i>Ranchi</i>)</p> <p>KARNATAKA STATE Karnataka (Bangalore) Chitradurga Hasan Mysore Raichur Shimoga</p> <p>KERALA STATE Alleppey Aluva Angamalli Calicut Changanacherry Ettumanoor Kerala (<i>Thiruvananthapuram</i>) Kochi Kodungugallur Kollam Kottayam Muvattupuzha North Malabar (<i>Kannur</i>) Thripunithura Thrissur Thiruvalla</p> <p>MADHYA PRADESH STATE Bhopal Indore Jabalpur</p> <p>MAHARASHTRA STATE Ahmednagar Amravati Baramati Butibori Dhule Ichalkaranji Jalgaon Kolhapur Malegaon Mumbai Nagpur Nanded Nashik Nandurbar Phalatan Pune</p>	<p>Raigad Sangli Shahada Satara Solapur Ulhasnagar Wai</p> <p>RAJASTHAN STATE Greater Jaipur Jaisalmer Jodhpur Pink City Jaipur* Rajasthan (Jaipur)</p> <p>TAMIL NADU STATE Chengalpeta Chettinadu Coimbatore Dindigul Erode Kallakurichi Kanyakumari Kodaikanal Kumbakonam Madurai Madhuranthakam Mayiladuthurai Nagapattanam Namakkal Nilgiri Neyveli Perambalur Ponneri Poonamallee* Pudukkottai Ramanathapuram Salem Southern (<i>Chennai</i>) Thanjavur Thenni Thiruthuraiipoondi Thiruvannamalai Thiruvarur Tiruchirapalli Tirunelveli Tirupur Tiruvallur Tuticorin Tambaram*</p>	<p>Vellore Udumalpet*</p> <p>TELAGANA STATE Adilabad Greater Hyderabad Hyderabad Kamareddy Karimnagar Khammam Mahaboobnagar Medak Nalgonda Nizamabad Ranga Reddy Vikarabad* Warangal Yadadri*</p> <p>UTTAR PRADESH STATE Agra Agra Cantt. Aligarh Allahabad Baghpat Bareilly Gautam Budha Nagar Ghaziabad Greater Noida Hapur Loni Lucknow Meerut Meerut Cantt. Modinagar Moradabad Moradabad Northern Railway Muzaffarnagar Sitapur Kanpur Kanpur-South Western U.P. Electrical</p> <p>UNION TERRITORIES Andaman & Nicobar Karaikal Pondicherry</p> <p>WEST BENGAL STATE Durgapur Eastern Centre (<i>Kolkata</i>) Haldia</p>
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AFFILIATED ASSOCIATIONS

- Amravati District Contractors' Association, Amravati
- Association of Builders for Chennai Development
- Chennai Flat Promoters' Association - North
- Chennai Suburban Builders Association
- Confederation of Real Estate Developers Association of India (CREDAI), Karnataka
- Construction Equipment Rental Association (Cera)
- Contractors and Builders Association of Vidarbha
- CPWD Civil Contractor Association
- Earthmoving Contractors & Machinery Owners Association
- Flat Promoters Association (Ambattur & Avadi)
- Flat Promoters Association- Chennai South
- Gujarat Contractors' Association, Ahmedabad
- Jharkhand Local Thekedar Sangh, Ranchi
- Karnataka State Contractors' Association, Bangalore
- Kerala CPWD Contractors Association
- Kanchipuram Civil Engineers Association
- Latur District Builders' Association, Latur
- Mumbai Housing & Area Development Contractors' Association, Mumbai
- Nagpur Contractors Association
- Pavers Finished Road Builders' Association, Chennai
- Postal And Bsnl Contractors Societies
- Singara Chennai Builders Association
- Southern Region Petroleum Corporation Contractors Welfare Association
- The Association of Engineering Contractors CMWSS Board
- Tamilnadu Fly Ash Bricks & Blocks Manufacturers Association, Chennai
- Tamil Nadu Solid, Hollow & Paver Blocks Manufactures Association
- The Southern Railway Engineering Contractors Association
- M/s. Telangana Electrical Contractors Association

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(Apex Body of Construction Industry)

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2018-2019**

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